

House Bill No. 348.
 House Bill No. 376.
 House Bill No. 774.
 House Bill No. 781.
 House Bill No. 1120.
 House Bill No. 144.
 House Bill No. 538.
 House Bill No. 641.
 House Bill No. 1073.
 House Bill No. 456.
 House Concurrent Resolution No. 90.
 House Concurrent Resolution No. 140.

SEVENTY-FOURTH DAY

(Continued)

(Thursday, May 20, 1937)

The House met at 9:00 o'clock a. m., and was called to order by Speaker Calvert.

LEAVES OF ABSENCE GRANTED

The following members of the conference committee on House Bill No. 24 were granted leaves of absence, on account of important committee work: Messrs. Fuchs, Tarwater, Morris, Wood and Ragsdale.

Leaves of absence were granted the following Members, as follows:

Mr. Derden for today, on account of illness in his family, on motion of Mr. Harris of Dickens.

Mr. Prescott for today and tomorrow, on account of important business, on motion of Mr. Davisson of Eastland.

Mr. Mann for this afternoon and tomorrow, on account of important business, on motion of Mr. Mays.

Mr. Russell for today, on account of important business, on motion of Mr. Riddle.

Mr. Baker for today, on account of important business, on motion of Mr. Worley.

Mr. Roark for this afternoon, on account of important business, on motion of Mr. Lanning.

Mr. Cagle for today, on account of important business, on motion of Mr. Bradford.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 1175

Mr. Hartzog submitted the following Conference Committee Report on House Bill No. 1175:

Committee Room,

Austin, Texas, May 18, 1937.

Hon. Walter F. Woodul, President of the Senate.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Gentlemen:

We, your Conference Committee, appointed to adjust the differences between the House and the Senate on House Bill No. 1175, report that we have considered the same and recommend that it do pass in the form hereto attached.

Respectfully,

ROBERTS,
 HOLBROOK,
 SHIVERS,
 COLLIE,
 MOORE,

On the part of the Senate.

SHELL,
 HARTZOG,
 BELL,
 SMITH of Matagorda,
 MONKHOUSE,

On the part of the House.

H. B. No. 1175,

A BILL

To Be Entitled

An Act granting to the United States of America easement to construct and maintain the Louisiana and Texas Intracoastal Waterway over and through portions of bays and tidal lands owned by the State of Texas in Brazoria, Matagorda, Calhoun, and Aransas Counties; providing for a forfeiture; protecting vested rights and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That there is hereby granted and conveyed to the United States of America the free and uninterrupted use, liberty, and easement to construct and maintain the Louisiana and Texas Intracoastal Waterway over and through discon-

nected portions of bays and any tidal lands owned by the State of Texas within an area 300 feet in width extending from the Galveston-Brazoria County line to the 9-foot contour in Aransas Bay along the route of the projected Louisiana and Texas Intracoastal Waterway as shown in red on map, in four sheets, prepared by the United States Engineer Office, Galveston, Texas, entitled "Louisiana and Texas Intracoastal Waterway, Survey of 1927-1928", Index Sheets Nos. 1, 2, 3 and 4, File No. 16-4-4, and the further free and uninterrupted use, liberty, and easement to deposit dredged material during construction and maintenance of the waterway in bays and on tidal lands owned by the State of Texas within 2,000 feet of the above described area, said portions of bays and tidal lands being located in Brazoria, Matagorda, Calhoun, and Aransas Counties.

Section 2. Provided, however, that should the United States of America fail or refuse to construct said Intracoastal Waterway prior to January 1, 1947, or should said Government cease to maintain or to have maintained said Intracoastal Waterway at any time, then this right of easement shall cease and determine, and all right of whatsoever nature shall revert and be vested in the State of Texas.

Section 3. Provided, further, that nothing in this Act shall be construed to affect or impair any vested rights.

Section 4. The importance of this Act and the necessity of easement to the United States in certain lands for constructing and maintaining the proposed Louisiana and Texas Intracoastal Waterway, creates an emergency and an imperative public necessity that the constitutional rule which requires that bills be read on three several days in each House be, and the same is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Mr. Hartzog, the report was adopted.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 560

Mr. Alexander, Chairman, submitted the following Conference Committee Report on House Bill No. 560:

Austin, Texas, May 20, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Hon. Walter F. Woodul, President of the Senate.

Gentlemen:

We, your Conference Committee appointed to adjust the differences between the Senate and the House on House Bill No. 560, have had same under consideration and beg leave to report that we recommend the passage of said House Bill No. 560 in the form attached hereto.

Respectfully submitted,

WINFIELD,
NEAL,
NELSON,
NEWTON,

On the part of the Senate.

ALEXANDER,
HARRIS of Dickens,
SETTLE,
KERN,
CATHEY,

On the part of the House.

H. B. No. 560,

A BILL

To Be Entitled

An Act prescribing the maximum amount that may be allowed by County Boards of Trustees to the County Superintendents of Public Instruction for expenditures for office and/or traveling expenses in counties with a population of not less than 16,600 and not more than 17,060; and in counties having a population of not less than 38,760 inhabitants and not more than 38,780 inhabitants; and in counties having a population of not less than 26,382 and not more than 26,400 inhabitants; and in counties having a population of not less than 23,669 nor more than 23,775 inhabitants; and in counties having a population of not less than 19,173 nor more than 19,183 inhabitants; and in counties having a population of not less than 17,565 nor more than 17,585 inhabitants; and in counties having a population of

not less than 48,518 nor more than 48,538 inhabitants; and in counties having a population of not less than 53,925 nor more than 53,947 inhabitants; and in counties having a population of not less than 33,307 nor more than 33,328 inhabitants; and in counties having a population of not less than 31,395 nor more than 31,400 inhabitants; and in counties having a population of not less than 14,910 nor more than 14,917 inhabitants; and in counties having a population of not less than 8,600 nor more than 8,610 inhabitants; and in counties having a population of not less than 5,665 nor more than 5,670 inhabitants; and in counties having a population of not less than 12,185 nor more than 12,190 inhabitants; and in counties having a population of not less than 5,585 nor more than 5,589 inhabitants; and in counties having a population of not less than 41,020 nor more than 41,030 inhabitants; and in counties having a population of not less than 43,035 nor more than 43,040 inhabitants; and in counties having a population of not less than 20,100 nor more than 20,150 inhabitants; and in counties having a population of not less than 9,025 nor more than 9,050 inhabitants; and in counties having a population of not less than 39,100 and not more than 39,110 inhabitants; and in counties having a population of not less than 12,370 nor more than 12,380 inhabitants; and in counties having a population of not less than 13,570 and not more than 13,580 inhabitants; and in counties having a population of not less than 34,155 nor more than 34,160 inhabitants; and in counties having a population of not less than 12,785 nor more than 12,790 inhabitants; and in counties having a population of not less than 19,320 nor more than 19,325 inhabitants; and in counties having a population of not less than 14,180 nor more than 14,185 inhabitants; and in counties having a population of not less than 24,230 nor more than 24,235 inhabitants; and in counties having a population of not less than 6,695 nor more than 6,700 inhabitants; and in counties having a population of not less than 16,560 nor more than 16,565 inhabitants; and in counties having a population of not less than 5,250 nor more than

5,255 inhabitants; and in counties having a population of not less than 16,665 nor more than 16,670 inhabitants; and in counties having a population of not less than 12,360 nor more than 12,420 inhabitants; and in counties having a population of not less than 13,560 nor more than 13,585 inhabitants; and in counties having a population of not less than 8,590 nor more than 8,890 inhabitants; and in counties having a population of not less than 9,290 and not more than 9,400 inhabitants; and in counties having a population of not less than 6,800 and not more than 6,830 inhabitants; and in counties having a population of not less than 17,445 and not more than 17,465 inhabitants; and in counties having a population of not less than 11,021 and not more than 11,050 inhabitants; and in counties having a population of not less than 16,020 nor more than 16,500 inhabitants according to the last Federal Census in each instance; repealing all laws or parts of laws in conflict herewith, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. In counties with a population of not less than 16,600 and not less than 17,060; and in counties having a population of not less than 38,760 inhabitants and not more than 38,780 inhabitants; and in counties having a population of not less than 26,382 and not more than 26,400 inhabitants; and in counties having a population of not less than 23,669 nor more than 23,775 inhabitants; and in counties having a population of not less than 19,173 nor more than 19,183 inhabitants; and in counties having a population of not less than 17,565 nor more than 17,585 inhabitants; and in counties having a population of not less than 48,538 nor more than 48,518 inhabitants; and in counties having a population of not less than 53,925 nor more than 53,947 inhabitants; and in counties having a population of not less than 33,307 nor more than 33,328 inhabitants; and in counties having a population of not less than 31,395 nor more than 31,400 inhabitants; and in counties having a population of not less than 14,910 nor more than 14,917 inhabitants; and in counties having a population of not

less than 8,600 nor more than 8,610 inhabitants; and in counties having a population of not less than 5,665 nor more than 5,670 inhabitants; and in counties having a population of not less than 12,185 nor more than 12,190 inhabitants; and in counties having a population of not less than 5,585 nor more than 5,589 inhabitants; and in counties having a population of not less than 41,020 nor more than 41,030 inhabitants; and in counties having a population of not less than 43,035 nor more than 43,040 inhabitants; and in counties having a population of not less than 20,100 nor more than 20,150 inhabitants; and in counties having a population of not less than 9,025 nor more than 9,050 inhabitants; and in counties having a population of not less than 39,100 and not more than 39,110; and in counties having a population of not less than 12,370 nor more than 12,380 inhabitants; and in counties having a population of not less than 13,570 and not more than 13,580 inhabitants; and in counties having a population of not less than 34,155 nor more than 34,160 inhabitants; and in counties having a population of not less than 12,785 nor more than 12,790 inhabitants; and in counties having a population of not less than 19,320 nor more than 19,325 inhabitants; and in counties having a population of not less than 14,180 nor more than 14,185 inhabitants; and in counties having a population of not less than 24,230 nor more than 24,235 inhabitants; and in counties having a population of not less than 6,695 nor more than 6,700 inhabitants; and in counties having a population of not less than 16,560 nor more than 16,565 inhabitants; and in counties having a population of not less than 5,250 nor more than 5,255 inhabitants; and in counties having a population of not less than 16,665 nor more than 16,670 inhabitants; and in counties having a population of not less than 12,360 nor more than 12,420 inhabitants; and in counties having a population of not less than 13,560 nor more than 13,585 inhabitants; and in counties having a population of not less than 8,590 nor more than 8,890 inhabitants; and in counties having a population of not less than 9,290 and not more than 9,400 inhabitants; and in counties having a population of not less than 6,800 and not more than 6,830 inhabitants; and in counties having a population of not less than

17,445 and not more than 17,465 inhabitants; and in counties having a population of not less than 11,021 and not more than 11,050 inhabitants; and in counties having a population of not less than 16,020 and not more than 16,500 inhabitants according to the last Federal Census in each instance, the County Boards of Trustees may make such provisions as they deem necessary for office and/or traveling expenses of the County Superintendent of Public Instruction, and any assistant he may have; provided that the amount of such expenditures for such necessary office and/or traveling expenses shall not exceed the sum of Six Hundred (\$600.00) Dollars per annum. The amount of such expenses so allowed shall be paid in the manner and in accordance with now existing laws governing the maintenance of the office of the County Superintendent of Public Instruction.

Section 2. All laws and parts of laws, general or special, in conflict with this Act are hereby repealed.

Section 3. The fact that the amount of office and/or traveling expenses allowed to be paid County Superintendents in certain counties under existing laws is inadequate constitutes an emergency and an imperative public necessity, that the Constitutional Rule requiring all bills to be read on certain days in each House, be, and the same is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

On motion of Mr. Alexander, the report was adopted by the following vote:

Yeas—118

Adkins	Carsow
Alexander	Cathey
Alsup	Cauthorn
Amos	Cleveland
Baker	Colquitt
Bates	Davis of Jasper
Beckworth	Deglandon
Bell	Dickison
Blankenship	Dollins
Boethel	Farmer
Bond	Felty
Boyer	Fielden
Bradbury	Fox
Bradford	Gibson
Bridgers	Graves
Brown	Hamilton
Burton	Hanna
Callan	Harbin

Hardin	Morse
Harper	Newton
Harris of Archer	Nicholson
Harris of Dickens	Oliver
Hartzog	Palmer
Heflin	Patterson of Mills
Herzik	Patterson
Holland	of Travis
Hoskins	Powell
Huddleston	Quinn
Hull	Ragsdale
James	Reed of Bowie
Johnson of Ellis	Reed of Dallas
Johnson	Rhodes
of Tarrant	Riddle
Jones of Angelina	Roark
Jones of Atascosa	Ross
Jones of Falls	Rutta
Jones of Wise	Schuenemann
Keefe	Settle
Kelt	Sewell
Kenyon	Sharpe
Kern	Shell
King	Simpson
Knetsch	Skaggs
Lankford	Smith
Lanning	of Matagorda
Leath	Smith of Tarrant
Leonard	Talbert
Leyendecker	Tarwater
Little	Tennant
London	Tennyson
Lucas	Thornberry
Mann	Thornton
Mauritz	Vale
Mays	Waggoner
McConnell	Walker
McCracken	Weldon
McDonald	Westbrook
McFarland	Winfree
McKee	Wood
Moffett	Worley
Monkhouse	

Absent

Broadfoot	Keith
Celaya	Langdon
Davison of Fisher	Loggins
Davison	McKinney
of Eastland	Metcalfe
Dean	Petsch
England	Pope
Hankamer	Prescott
Harrell	Reader
Harris of Dallas	Smith of Hopkins
Howard	Stevenson
Hyder	Stinson
Jackson	

Absent—Excused

Cagle	Morris
Davis of Haskell	Russell
Derden	Stocks
Fuchs	

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 1169

Mr. Morse submitted the following conference committee report on House Bill No. 1169:

Committee Room,

Austin, Texas, May 18, 1937.

Hon. Walter F. Woodul, President of the Senate.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed to adjust the differences between the Senate and the House of Representatives on House Bill No. 1169, do report that we have had the same under consideration and recommend to the Senate and House of Representatives that it do pass in the form attached hereto.

Respectfully,

MOORE,
RAWLINGS,
SPEARS,
SHIVERS,
WESTERFELD.

On the part of the Senate.

JOHNSON of Tarrant,
HEFLIN,
HOWARD,
CARSSOW,

On the part of the House.

H. B. No. 1169,

A BILL

To Be Entitled

An Act fixing the compensation of official shorthand reporters in District Courts in all counties having a population in excess of one hundred fifty thousand (150,000) inhabitants, according to the last preceding or any future Federal Census; providing methods of payment; repealing all laws and parts of laws in conflict to the extent of such conflict only, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That the official shorthand reporter of each District Court, Criminal District Court, and County Court at Law in each county in the State of Texas having a population in excess of one hundred fifty thousand (150,000) inhabitants, according to the last preceding or any future

Federal Census, shall receive a salary of Thirty-six Hundred (\$3,600.00) Dollars per annum, in addition to the compensation for transcript fees as provided by law. Said salary shall be paid monthly out of the General Fund of the county, on the approval of the Judge of the Court in which said reporter is employed.

Section 2. All laws and parts of laws in conflict herewith are hereby repealed to the extent of such conflict only.

Section 3. The rapidly rising cost of living and the expense to the official shorthand reporters of preparing many records on paupers' oaths without cost to litigants, due to the filing of many suits on such paupers' oaths, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Mr. Morse moved that the report be adopted.

Mr. Smith of Tarrant moved that the conference committee report on House Bill No. 1169 be not adopted and that same be returned to the committee with instructions to omit Tarrant County from the provisions of the bill.

Mr. Hanna asked unanimous consent of the House that the motion by Mr. Smith of Tarrant be amended so as to include Dallas County.

There was objection offered.

Question—Shall the motion by Mr. Smith of Tarrant prevail?

SENATE BILL NO. 185 ON PAS- SAGE TO THIRD READING

The Speaker laid before the House, on its passage to third reading,

S. B. No. 185, A bill to be entitled "An Act appropriating Five Million (\$5,000,000.00) Dollars per year, or so much thereof as may be necessary for the next biennium beginning September 1st, 1937, and ending August 31st, 1939, for the purpose of promoting public school interest and equalizing the educational opportunities afforded by the State to all children of scholastic age within the State, and declaring an emergency."

The bill having heretofore been

read second time, with committee amendment No. 1, pending.

Mr. Patterson of Mills offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 185, page 4, Section 6, by striking out all of Section 6 and substituting in lieu thereof the following:

"Section 6. Tax Levy.—No school district shall be eligible to receive aid under the provisions of this Act unless it shall be providing for the annual support of its schools by voting, levying, and collecting for the current year a local maintenance school tax, exclusive of the tax for interest and sinking fund for bonds, of not less than fifty (50) cents on the One Hundred (\$100.00) Dollars of property valuation in the entire district, or not less than seventy-five (75) cents, inclusive of the tax for interest and sinking fund for bonds; and providing that the property valuation shall not be less than said property is valued for State and county purposes. Any school district which shall after October 1, 1937, reduce its existing property assessment and/or existing tax rates, thereby enabling it to participate under this Act, shall not be eligible to receive aid from any of the funds herein provided.

"The provisions of this section shall apply to all schools seeking state aid for salaries, for industrial equipment, for transportation of its pupils, and for the payment of high school tuition of its pupils attending a receiving high school."

PATTERSON of Mills,
ALSUP,
KERN,
JOHNSON of Ellis,
HARRIS of Archer.

(Mr. Tennyson in the Chair.)

Mr. Sharpe offered the following amendment to the amendment by Mr. Patterson of Mills:

Amend amendment No. 1 to Senate Bill No. 185, by adding the following:

"Provided further that after August 31, 1938, no school district shall be eligible to receive aid unless it shall have collected for the preceding year, not less than fifty (50) per cent of the total amount of taxes levied for the district."

SHARPE,
KERN.

(Speaker in the Chair.)

Mr. Metcalfe offered the following substitute amendment for the amendment by Mr. Sharpe:

"Provided further that after August 31, 1938, no school district shall be eligible to receive aid unless it shall have collected for the preceding year, not less than seventy (70) per cent of the total amount of taxes levied for the district; provided further that in arriving at the annual budget requirements for schools the total amount of taxes levied for the district shall be counted as receipts for such school. Provided, that the Board of Education shall make exceptions in case of calamitous circumstances and emergencies."

METCALFE,
KEEFE.

Mr. Patterson of Mills moved to table the amendment by Mr. Metcalfe.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—80

Adkins	Hoskins
Alexander	Huddleston
Alsup	Hull
Amos	James
Baker	Johnson of Ellis
Bates	Jones of Angelina
Beckworth	Jones of Falls
Boethel	Jones of Wise
Bradbury	Kern
Bradford	King
Broadfoot	Langdon
Brown	Lankford
Burton	Lanning
Callan	Leath
Carssow	Leyendecker
Cathey	Little
Celaya	Loggins
Cleveland	Lucas
Davisson	Mays
of Eastland	McConnell
Deglandon	Moffett
Dickison	Monkhouse
Dollins	Morris
Farmer	Newton
Fielden	Oliver
Hamilton	Palmer
Harbin	Patterson of Mills
Hardin	Prescott
Harper	Reed of Bowie
Harrell	Reed of Dallas
Harris of Dallas	Rhodes
Harris of Dickens	Roark
Heflin	Sewell
Herzik	Sharpe
Holland	Simpson

Skaggs	Weldon
Smith of Hopkins	Westbrook
Smith of Tarrant	Winfree
Talbert	Wood
Tennyson	Worley
Thornberry	

Nays—41

Bell	Leonard
Blankenship	McDonald
Bond	McFarland
Bridgers	Metcalfe
Cauthorn	Morse
Colquitt	Nicholson
Davis of Jasper	Patterson
Davison of Fisher	of Travis
England	Petsch
Felty	Powell
Fox	Quinn
Gibson	Reader
Graves	Riddle
Hankamer	Settle
Hanna	Smith
Harris of Archer	of Matagorda
Johnson	Stevenson
of Tarrant	Stinson
Jones of Atascosa	Tennant
Keith	Vale
Kelt	Waggoner
Knetsch	Walker

Present—Not Voting

Thornton

Absent

Boyer	Mann
Dean	Mauritz
Hartzog	McCracken
Howard	McKee
Hyder	McKinney
Jackson	Pope
Keefe	Ross
Kenyon	Rutta
London	Shell

Absent—Excused

Cagle	Russell
Davis of Haskell	Schuenemann
Derden	Stocks
Fuchs	Tarwater
Ragsdale	

PAIRED

Mr. Thornton (present), who would vote "nay", with Mr. Derden (absent), who would vote "yea".

Mr. Sharpe withdrew the pending amendment offered by himself.

Mr. Metcalfe offered the following amendment to the amendment by Mr. Patterson of Mills:

Amend the amendment by adding the following at the end of paragraph 1:

"It is further provided that no aid shall be granted to any district which levies less than a fifty cent maintenance tax for current expenses."

METCALFE,
THORNTON,
DAVISON of Fisher.

The amendment was adopted.

Question then recurring on the amendment by Mr. Patterson of Mills, as amended, it was adopted.

Mr. Thornton moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Gibson offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 185, by striking out the words and figures "Five Hundred and Seventy Thousand (\$570,000.00) Dollars" wherever they appear in Section 17, page 10, and inserting in lieu thereof the words and figures "Six Hundred Eighty-four Thousand (\$684,000.00) Dollars".

Mr. Patterson of Mills offered the following amendment to the amendment by Mr. Gibson:

Amend Gibson amendment, by striking out the figure "\$684,000" and inserting in lieu thereof the figures "\$853,841.00".

The amendment was adopted.

Question then recurring on the amendment by Mr. Gibson, as amended, it was adopted.

Mr. Boethel offered the following amendment to the committee amendment:

Amend committee amendment. No. 1, to Senate Bill No. 185, Section 1, by inserting a new sentence between the sentences in line 3, on page 2, which shall read as follows:

"There is further allocated out of the above appropriation for each year the sum of Three Hundred Thousand (\$300,000.00) Dollars for the special purpose of increasing the terms of one-teacher and two-teacher schools so as to provide so far as possible an eight months term, provided the dis-

trict receiving aid must levy a maintenance tax."

BOETHEL,
WESTBROOK.

Mr. Patterson of Mills moved to table the amendment by Mr. Boethel.

Mr. Thornton raised a point of order, on consideration of the amendment, on the ground that the amendment is not germane to the bill.

The Speaker overruled the point of order.

Question recurring on the motion to table, it prevailed.

Mr. Keefe moved that all Rules be suspended, relative to the consideration of privileged motions and other privileged matters, and that no other matters be taken up until Senate Bill No. 185 is disposed of.

The motion prevailed by the following vote:

Yeas—120

Adkins	Harbin
Alexander	Hardin
Alsup	Harper
Amos	Harrell
Bates	Harris of Archer
Beckworth	Harris of Dallas
Bell	Heflin
Blankenship	Herzik
Boethel	Holland
Boyer	Hoskins
Bradbury	Huddleston
Bridgers	Hull
Broadfoot	Hyder
Brown	James
Burton	Johnson of Ellis
Callan	Jones of Angelina
Carssow	Jones of Atascosa
Cathey	Jones of Falls
Cauthorn	Jones of Wise
Celaya	Keefe
Cleveland	Keith
Colquitt	Kelt
Davis of Jasper	Kern
Davison of Fisher	King
Davisson	Langdon
of Eastland	Lankford
Deglandon	Lanning
Dickison	Leonard
Dollins	Leyendecker
England	Little
Felty	Loggins
Fielden	London
Fox	Lucas
Fuchs	Mann
Gibson	Mauritz
Graves	Mays
Hamilton	McConnell
Hankamer	McCracken
Hanna	McDonald

McFarland	Settle
Metcalfe	Sewell
Moffett	Sharpe
Monkhouse	Simpson
Morris	Skaggs
Morse	Smith of Hopkins
Newton	Smith
Nicholson	of Matagorda
Oliver	Smith of Tarrant
Palmer	Stinson
Patterson of Mills	Talbert
Patterson	Tarwater
of Travis	Tennant
Powell	Thornberry
Prescott	Thornton
Ragsdale	Vale
Reader	Waggoner
Reed of Bowie	Walker
Rhodes	Weldon
Roark	Winfrey
Ross	Wood
Rutta	Worley
Schuenemann	

Nays—3

Johnson	Knetsch
of Tarrant	Leath

Absent

Baker	McKinney
Bond	Petsch
Bradford	Pope
Dean	Quinn
Farmer	Reed of Dallas
Harris of Dickens	Riddle
Hartzog	Shell
Howard	Stevenson
Jackson	Tennyson
Kenyon	Westbrook
McKee	

Absent—Excused

Cagle	Russell
Davis of Haskell	Stocks
Derden	

Mr. Boethel offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 185, by inserting a new sentence between the sentences on line 3, page 2, to read as follows:

"There is further allocated out of the above appropriation for each year the sum of Two Hundred Thousand (\$200,000.00) Dollars for the special purpose of lengthening the terms and providing instructional aid for rural

high schools and consolidated rural high schools."

**BOETHEL,
WESTBROOK.**

The amendment was adopted.

Mr. Keefe offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 185, page 5, line 35, by adding after the sentence closing with "crippled children", the following:

"It is also provided that high school tuition, in an amount not to exceed Two Dollars and Fifty Cents (\$2.50) per pupil per month, may be granted for high school pupils residing in consolidated or rural high school districts composed of not less than three (3) original districts, provided said consolidated or rural high school districts maintain high schools having at least eight (8) units of affiliation, provided the assessed valuation of property in such district is less than Fifteen Hundred (\$1,500.00) Dollars per pupil, and the budget shows that such tuition is needed to properly maintain the school."

(Mr. Jones of Wise in the Chair.)

Mr. Blankenship moved the previous question on the pending amendments and the passage of Senate Bill No. 185 to third reading, and the motion was duly seconded.

Question then recurring on the motion for the main question, it was lost.

Question—Shall the amendment by Mr. Keefe be adopted?

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolutions:

H. B. No. 1155, "An Act amending Section 2 of Article 3883, Revised Civil Statutes of Texas, 1925, as amended by Chapter 20, Acts of the Forty-first Legislature, Fourth Called Session as amended by Chapter 340, Acts of the Forty-second Legislature, Regular Session, as amended by Chapter 220, Acts of the Forty-third Legislature, Regular Session, by providing that in counties containing not less than 29,500 nor more than 30,000

population, according to the last preceding Federal Census the Constable shall be allowed to retain out of the fees collected by such officer the sum of Twenty-four Hundred (\$2,400.00) Dollars, and declaring an emergency."

H. B. No. 1162, "An Act to authorize the Commissioner's Court of Montgomery County to pay bounties under certain conditions for the destruction of wolves, coyotes, wildcats, and other predatory animals and fowls in said County; to make rules and regulations with respect thereto; regulating the issuance of warrants in payment thereof, and declaring an emergency."

H. B. No. 663, "An Act providing for the beginning of the terms of certain State and District offices of the State of Texas, and declaring an emergency."

H. B. No. 1175, "An Act granting easement to the United States in certain lands, and declaring an emergency."

H. B. No. 1176, "An Act amending Section 27 of Article 199, Revised Civil Statutes of Texas, 1925, as amended by Chapter 305, Acts of the Forty-second Legislature, Regular Session, by omitting the January Term of Court in Mills County, Texas, and declaring an emergency."

H. B. No. 407, "An Act prohibiting the barter or sale or offering for barter or sale or to buy any bass, crappie, perch, catfish, or any other fish taken from the fresh waters of the Brazos River or within one mile of the mouth of any of the tributaries of the Brazos River within Falls County, State of Texas; and providing a penalty, and declaring an emergency."

H. B. No. 130, "An Act to give the right of eminent domain to certain conservation and reclamation districts to enable them to acquire by condemnation land on which cemeteries are located under certain conditions, and declaring an emergency."

H. B. No. 651, "An Act amending Article 6205, Revised Civil Statutes of Texas, 1925, as amended by Section 2 of Chapter 262, Acts, Regular Session of the Forty-second Legislature, 1931, and declaring an emergency."

S. B. No. 495, "An Act authorizing the appointment of County Highway Patrolmen by the commissioners' courts of counties containing not less

than eleven thousand nine hundred eighty (11,980) inhabitants, and not more than twelve thousand one hundred (12,100) inhabitants, according to the last preceding Federal Census, and declaring an emergency."

S. B. No. 487, "An Act amending Section Two (2) of House Bill No. Two Hundred Fifty-eight (258), passed by the present, the Forty-fifth (45th) Legislature of the State of Texas, which Act relates to the creation of a Firemen's Relief and Retirement Fund in the State of Texas, and which amendment exempts the premiums and assessments collected by county mutual insurance companies from the tax provided in the bill, and declaring an emergency."

H. C. R. No. 65, To grant John Haney, and others, permission to sue the State.

H. C. R. No. 89, Granting Mrs. Mary Esther Ramsey permission to sue the State.

H. C. R. No. 106, Concerning the use of State Parks.

MESSAGE FROM THE SENATE

Austin, Texas, May 20, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 420, A bill to be entitled "An Act providing Workmen's Compensation for State employees, and declaring an emergency." (With amendments.)

H. B. No. 7, A bill to be entitled "An Act creating a State Board of Public Welfare for the State of Texas, and declaring an emergency." (With amendments.)

Respectfully,

BOB BARKER,

Secretary of the Senate.

HOUSE BILL NO. 592 WITH SENATE AMENDMENTS

Mr. Alexander called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 592, A bill to be entitled "An Act creating the Upper Red River Flood Control and Irrigation

District, a conservation and reclamation district, to be a governmental agency, body politic, and corporate; prescribing and limiting the powers, rights, privileges, functions and liabilities of such District and prescribing the manner of their exercise, and providing the powers and duties of such District shall be subject to the continuing rights of supervision by the State through the State Board of Water Engineers, and the State Reclamation Engineer; making an appropriation; declaring the Act to be severable, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

On motion of Mr. Alexander, the House concurred in the Senate amendments by the following vote:

Yeas—120

Adkins	Hardin
Alexander	Harper
Alsup	Harrell
Amos	Harris of Archer
Baker	Harris of Dallas
Rates	Harris of Dickens
Beckworth	Hartzog
Bell	Heflin
Blankenship	Herzik
Boethel	Holland
Bond	Hoskins
Boyer	Huddleston
Bradbury	Hyder
Bridgers	James
Broadfoot	Johnson of Ellis
Brown	Johnson
Burton	of Tarrant
Callan	Jones of Angelina
Carssow	Jones of Atascosa
Cathey	Jones of Falls
Cleveland	Keefe
Colquitt	Keith
Davis of Jasper	Kelt
Davison of Fisher	Kenyon
Davisson	Kern
of Eastland	King
Deglandon	Knetsch
Dickison	Langdon
Dollins	Lankford
England	Lanning
Farmer	Leath
Felty	Leonard
Fielden	Leyendecker
Fox	Loggins
Fuchs	London
Gibson	Lucas
Graves	Mauritz
Hamilton	Mays
Hankamer	McConnell
Hanna	McDonald
Harbin	McFarland

McKinney	Settle
Metcalfe	Sewell
Moffett	Sharpe
Monkhouse	Shell
Morris	Simpson
Morse	Skaggs
Newton	Smith of Hopkins
Oliver	Smith
Patterson	of Matagorda
of Travis	Smith of Tarrant
Pope	Stinson
Powell	Talbert
Ragsdale	Tennant
Reed of Bowie	Tennyson
Reed of Dallas	Thornberry
Rhodes	Thornton
Riddle	Vale
Roark	Walker
Ross	Weldon
Rutta	Wood
Schuenemann.	Worley

Absent

Bradford	Nicholson
Cauthorn	Palmer
Celaya	Patterson of Mills
Dean	Petsch
Howard	Quinn
Hull	Reader
Jackson	Stevenson
Jones of Wise	Tarwater
Little	Waggoner
McCracken	Westbrook
McKee	Winfree

Absent—Excused

Cagle	Prescott
Davis of Haskell	Russell
Derden	Stocks
Mann	

RESOLUTION RECOMMITTED

Mr. Keith moved that Senate Concurrent Resolution No. 71 be recommitted to the Committee on State Affairs.

The motion prevailed.

CONFERENCE COMMITTEE APPOINTED

The Speaker announced the appointment of the following Conference Committee, on the part of the House, on Senate Bill No. 195:

Messrs. Jones of Wise, Alsup, Morris, Jones of Angelina and Bradbury.

RECESS

Mr. Hartzog moved that the House recess until 2:00 o'clock p. m., today.

Mr. Harbin moved that the House recess until 1:30 o'clock p. m., today.

Question first recurring on the motion to recess until 1:30 o'clock p. m., today, it was lost.

Question then recurring on the motion to recess until 2:00 o'clock p. m., today, it prevailed, and the House, accordingly, at 12:00 o'clock m., took recess until 2:00 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2:00 o'clock p. m., and was called to order by the Speaker.

LEAVES OF ABSENCE GRANTED

(By unanimous consent)

Mr. Rutta was granted leave of absence for this afternoon, on account of important business, on motion of Mr. Cauthorn.

Mr. Huddleston was granted leave of absence temporarily for this afternoon, on account of important business, on motion of Mr. Hardin.

EXPRESSING APPRECIATION TO MEMBERS OF THE HOUSE

The Speaker laid before the House, and had read the following communication:

The University of Texas,
Austin, May 18, 1937.

Mrs. Louise Snow Phinney, Chief
Clerk, House of Representatives,
The Capitol,
Austin, Texas

Dear Mrs. Phinney:

Please express to the House of Representatives the sincere appreciation of the Board of Regents of The University of Texas for the resolution passed by the House of Representatives concerning the death of President Benedict. The Board of Regents appreciates very much the esteem in which Doctor Benedict was held by the Members of the Legislature. It was his sincere effort and desire to make of The University of Texas truly a University of the first class, and he had much pleasure in working with the Members of the Legislature in a joint effort to accomplish this purpose.

Yours very respectfully,
LEO C. HAYNES, Secretary.

CONFERENCE COMMITTEE AP- POINTED ON HOUSE BILL NO. 293

The Speaker announced the appointment of the following conference committee, on the part of the House, on House Bill No. 293:

Messrs. Harris of Archer, Tarwater, Keith, McDonald and Leonard.

SENATE BILL NO. 185 ON PASSAGE TO THIRD READING

The House resumed consideration of pending business, same being Senate Bill No. 185, relative to making certain Rural Aid Appropriations, with committee amendment No. 1 and amendment by Mr. Keefe to the committee amendment, pending.

Mr. Patterson of Mills moved to table the amendment by Mr. Keefe.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—80

Alexander	Harris of Dallas
Amos	Harris of Dickens
Bates	Hartzog
Beckworth	Herzik
Bell	Hull
Blankenship	James
Boethel	Johnson of Ellis
Boyer	Johnson
Bradbury	of Tarrant
Bradford	Jones of Angelina
Bridgers	Kenyon
Brown	Kern
Carssow	King
Cathey	Knetsch
Cauthorn	Lankford
Celaya	Leath
Cleveland	Leyendecker
Colquitt	Little
Davison of Fisher	McCracken
Dickison	McFarland
Dollins	McKee
England	Monkhouse
Farmer	Morse
Felty	Newton
Fielden	Nicholson
Fox	Patterson of Mills
Gibson	Patterson
Hamilton	of Travis
Hanna	Powell
Harbin	Quinn
Hardin	Reed of Bowie
Harper	Reed of Dallas
Harrell	Ross
Harris of Archer	Schuenemann

Sharpe	Tennant
Simpson	Tennyson
Skaggs	Thornton
Smith of Hopkins	Vale
Smith	Waggoner
of Matagorda	Walker
Smith of Tarrant	Wood
Stinson	

Nays—27

Adkins	London
Alsup	Lucas
Burton	Moffett
Callan	Morris
Davis of Jasper	Oliver
Davisson	Palmer
of Eastland	Reader
Deglandon	Rhodes
Holland	Sewell
Hoskins	Talbert
Huddleston	Thornberry
Jones of Wise	Weldon
Keefe	Westbrook
Langdon	Worley

Absent

Bond	Loggins
Broadfoot	Mauritz
Dean	Mays
Graves	McConnell
Hankamer	McDonald
Heflin	McKinney
Howard	Metcalfe
Jackson	Petsch
Jones of Atascosa	Pope
Jones of Falls	Riddle
Keith	Settle
Kelt	Shell
Lanning	Stevenson
Leonard	Winfree

Absent—Excused

Baker	Prescott
Cagle	Ragsdale
Davis of Haskell	Roark
Derden	Russell
Fuchs	Rutta
Hyder	Stocks
Mann	Tarwater

Mr. Beckworth offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 185, pages 1 and 2 by striking out on page 1, line 34, beginning with the word "There" all that follows on page 1 and by striking out on page 2 all that which appears down to and including the word "Board" on line 3; and by inserting in lieu thereof the following:

"There is hereby allocated out of the above appropriation for each year

the sum of Seven Hundred and Fifty Thousand (\$750,000.00) Dollars for the special purpose of supplementing teachers salaries, and providing that the basis thereof shall be not less than Eighty-five (\$85.00) Dollars per month for an eight (8) months term and that a part of said Seven Hundred and Fifty Thousand (\$750,000.00) Dollars may be used for raising the base salary of school superintendents and heads of schools in a manner as may be deemed advisable by said State Board of Education, under rules and regulations to be promulgated by said Board. Provided, however, insofar as the money herein allocated will permit the following standards of base pay for said Superintendents and Heads of Schools shall be as follows:

Head of 1 teacher	
school.....	\$ 95.00 per month
Head of 2 teacher	
school.....	105.00 per month
Head of 3 teacher	
school.....	115.00 per month
Head of 4 teacher	
school.....	125.00 per month
Head of 5 teacher	
school.....	135.00 per month
Head of 6 teacher	
school.....	145.00 per month
Head of 7 teacher	
school.....	155.00 per month
Head of 8 teacher	
school.....	165.00 per month
Head of 9 teacher	
school.....	175.00 per month
Head of 10 teacher	
school.....	185.00 per month

"Provided further that all Superintendents and Principals of State Aid Schools of 10 teachers or more shall not be paid more than \$185.00 per month, but such Superintendents or Heads of Schools shall be paid, if their School Boards so desire, for 10 months."

BECKWORTH,
HANNA,
SMITH of Hopkins.

Mr. England moved the previous question on the pending amendments and the passage of Senate Bill No. 185 to third reading, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Mr. Fielden offered the following amendment to the amendment by Mr. Beckworth:

Amend the amendment, by striking

out "\$85.00 per month" and insert "\$90.00 per month".

FIELDEN,
KEEFE,
KERN,
SMITH of Hopkins.

Mr. Thornton moved to table the amendment by Mr. Fielden.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—63

Adkins	London
Alsup	Mays
Blankenship	McCracken
Bradford	McDonald
Bridgers	McKee
Burton	Morse
Carssow	Newton
Cathey	Nicholson
Cauthorn	Oliver
Colquitt	Patterson of Mills
Davis of Jasper	Patterson
Deglandon	of Travis
Dickison	Powell
Dollins	Quinn
Felty	Reader
Gibson	Reed of Bowie
Graves	Riddle
Hamilton	Ross
Hanna	Schuenemann
Hardin	Sharpe
Harrell	Simpson
Harris of Dallas	Stinson
Harris of Dickens	Tarwater
Hartzog	Tennyson
James	Thornberry
Johnson	Thornton
of Tarrant	Vale
Jones of Angelina	Waggoner
Keith	Walker
Kelt	Westbrook
Kenyon	Winfree
Knetsch	Wood
Lanning	

Nays—50

Alexander	Harbin
Amos	Harper
Bates	Herzik
Beckworth	Holland
Bell	Hoskins
Boethel	Huddleston
Boyer	Hull
Bradbury	Hyder
Brown	Johnson of Ellis
Callan	Jones of Falls
Davisson	Jones of Wise
of Eastland	Keefe
England	Kern
Farmer	Langdon
Fielden	Lankford

Leyendecker	Reed of Dallas
Little	Rhodes
Loggins	Skaggs
Lucas	Smith of Hopkins
McConnell	Smith
Metcalfe	of Matagorda
Moffett	Smith of Tarrant
Monkhouse	Talbert
Morris	Tennant
Palmer	Weldon
Ragsdale	Worley

Absent

Bond	King
Broadfoot	Leath
Celaya	Leonard
Cleveland	Mauritz
Davison of Fisher	McFarland
Dean	McKinney
Fox	Petsch
Hankamer	Pope
Harris of Archer	Settle
Heflin	Sewell
Howard	Shell
Jackson	Stevenson
Jones of Atascosa	

Absent—Excused

Baker	Prescott
Cagle	Roark
Davis of Haskell	Russell
Derden	Rutta
Fuchs	Stocks
Mann	

Mr. Keefe offered the following amendment to the amendment by Mr. Beckworth:

Amend the amendment, by striking out all from lines 14 to 23, inclusive, and inserting in lieu thereof the following:

Head of 1-2 teacher school.....	\$112.50
Head of 3-4 teacher school.....	\$125.00
Head of 5-6 teacher school.....	\$135.00
Head of 7-8 teacher school.....	\$145.00
Head of 9-10 teacher school.....	\$155.00

Mr. Beckworth moved to table the amendment by Mr. Keefe.

The motion to table prevailed.

Mr. Keefe offered the following amendment to the amendment by Mr. Beckworth:

Amend the amendment, by adding the following:

"It shall be mandatory upon the State Board of Education and the State Superintendent to follow the above schedule."

Mr. Harbin moved the previous question on the pending amendments and the passage of Senate Bill No.

185 to third reading, and the main question was ordered.

Mr. Hartzog moved to reconsider the vote by which the main question was ordered, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—70

Alexander	Leonard
Alsup	Leyendecker
Amos	Little
Beckworth	London
Blankenship	McDonald
Boethel	McKee
Boyer	Metcalfe
Bradford	Moffett
Bridgers	Monkhouse
Burton	Morse
Celaya	Newton
Cleveland	Nicholson
Colquitt	Pope
Davison of Fisher	Powell
Davisson	Quinn
of Eastland	Ragsdale
Deglandon	Reader
Dollins	Reed of Bowie
England	Reed of Dallas
Felty	Rhodes
Fox	Riddle
Fuchs	Ross
Gibson	Schuenemann
Hamilton	Settle
Hanna	Shell
Harbin	Smith
Harris of Dallas	of Matagorda
Harris of Dickens	Smith of Tarrant
Hartzog	Stinson
Herzik	Stocks
James	Talbert
Jones of Atascosa	Tennant
Keith	Thornton
Kenyon	Vale
Knetsch	Waggoner
Lanning	Walker

Nays—54

Adkins	Hardin
Bates	Harper
Bell	Harrell
Bradbury	Harris of Archer
Brown	Holland
Callan	Hoskins
Carssow	Huddleston
Cathey	Hull
Cauthorn	Johnson of Ellis
Davis of Jasper	Johnson
Dickison	of Tarrant
Farmer	Jones of Angelina
Fielden	Jones of Falls

Jones of Wise	Patterson of Mills
Keefe	Patterson
Kelt	of Travis
Kern	Sewell
King	Sharpe
Langdon	Simpson
Lankford	Skaggs
Leath	Smith of Hopkins
Loggins	Tennyson
Lucas	Thornberry
Mays	Weldon
McConnell	Westbrook
Morris	Winfree
Oliver	Wood
Palmer	Worley

Absent

Bond	Mauritz
Broadfoot	McCracken
Dean	McFarland
Graves	McKinney
Hankamer	Petsch
Heflin	Stevenson
Howard	Tarwater
Jackson	

Absent—Excused

Baker	Mann
Cagle	Prescott
Davis of Haskell	Roark
Derden	Russell
Hyder	Rutta

Mr. Harbin moved that the Rules be suspended for the purpose of making a motion to reconsider the vote by which the previous question was ordered.

Question recurring on the motion by Mr. Harbin, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—58

Adkins	Harrell
Alsup	Harris of Archer
Bates	Harris of Dickens
Beckworth	Herzik
Bell	Holland
Bradbury	Huddleston
Brown	James
Callan	Johnson of Ellis
Cathey	Johnson
Cauthorn	of Tarrant
Davis of Jasper	Jones of Angelina
Deglandon	Jones of Falls
Dollins	Jones of Wise
Farmer	Keefe
Fielden	Kelt
Fuchs	King
Harbin	Langdon
Hardin	Lankford
Harper	Leath

Loggins	Smith of Hopkins
Lucas	Stinson
Mays	Stocks
McConnell	Tennyson
Morris	Thornberry
Oliver	Weldon
Palmer	Westbrook
Rhodes	Winfree
Sewell	Wood
Simpson	Worley
Skaggs	

Nays—62

Alexander	McDonald
Amos	McKee
Blankenship	Metcalf
Boethel	Moffett
Boyer	Monkhouse
Bradford	Morse
Bridgers	Newton
Broadfoot	Nicholson
Burton	Patterson of Mills
Carssow	Patterson
Colquitt	of Travis
Davison of Fisher	Powell
Davisson	Quinn
of Eastland	Reader
Dickison	Reed of Bowie
Felty	Reed of Dallas
Fox	Riddle
Gibson	Ross
Graves	Schuenemann
Hamilton	Sharpe
Hanna	Shell
Harris of Dallas	Smith
Hartzog	of Matagorda
Hull	Smith of Tarrant
Jones of Atascosa	Stevenson
Keith	Talbert
Kenyon	Tarwater
Knetsch	Tennant
Lanning	Thornton
Leonard	Vale
Leyendecker	Waggoner
Little	Walker
London	

Absent

Bond	Kern
Celaya	Mauritz
Cleveland	McCracken
Dean	McFarland
England	McKinney
Hankamer	Petsch
Heflin	Pope
Hoskins	Ragsdale
Howard	Settle
Jackson	

Absent—Excused

Baker	Mann
Cagle	Prescott
Davis of Haskell	Roark
Derden	Russell
Hyder	Rutta

Question first recurring on the amendment by Mr. Keefe, it was adopted.

Question next recurring on the amendment by Mr. Beckworth, as amended, it was adopted.

Question then recurring on the committee amendment, as amended, it was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 185 was then passed to third reading.

SENATE BILL NO. 185 ON THIRD READING

Mr. Thornton moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 185 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123

Adkins	Harbin
Alexander	Hardin
Alsup	Harper
Amos	Harrell
Bates	Harris of Archer
Beckworth	Harris of Dallas
Bell	Harris of Dickens
Blankenship	Hartzog
Boethel	Herzik
Boyer	Holland
Bradbury	Hoskins
Bradford	Huddleston
Bridgers	Hull
Brown	Hyder
Burton	James
Callan	Johnson of Ellis
Carssow	Johnson
Cathey	of Tarrant
Cauthorn	Jones of Atascosa
Davison of Fisher	Jones of Angelina
Davisson	Jones of Falls
of Eastland	Jones of Wise
Deglandon	Keefe
Dickison	Keith
Dollins	Kelt
England	Kenyon
Farmer	Kern
Felty	King
Fielden	Knetsch
Fox	Langdon
Fuchs	Lankford
Gibson	Lanning
Graves	Leath
Hamilton	Leonard
Hankamer	Leyendecker
Hanna	Little

Loggins	Ross
London	Schuenemann
Lucas	Sewell
Mays	Sharpe
McConnell	Shell
McCracken	Simpson
McDonald	Skaggs
McKee	Smith of Hopkins
Metcalfe	Smith
Moffett	of Matagorda
Monkhouse	Smith of Tarrant
Morris	Stevenson
Morse	Stinson
Newton	Stocks
Nicholson	Talbert
Oliver	Tennant
Patterson of Mills	Tennyson
Patterson	Thornberry
of Travis	Thornton
Pope	Vale
Powell	Waggoner
Quinn	Walker
Ragsdale	Weldon
Reader	Westbrook
Reed of Bowie	Winfree
Reed of Dallas	Wood
Rhodes	Worley
Riddle	

Absent

Bond	Jackson
Broadfoot	Mauritz
Celaya	McFarland
Cleveland	McKinney
Colquitt	Palmer
Davis of Jasper	Petsch
Dean	Settle
Heflin	Tarwater
Howard	

Absent—Excused

Baker	Prescott
Cagle	Roark
Davis of Haskell	Russell
Derden	Rutta
Mann	

The Speaker then laid Senate Bill No. 185 before the House on third reading and final passage.

The bill was read third time.

Mr. Jones of Wise offered the following amendment to the bill:

Amend Senate Bill No. 185, by striking out all of Section 11 and insert in lieu thereof the following:

"Transportation Aid.—The county superintendents and county school boards of each of the several counties in this State are hereby authorized to set up a county-wide system of transportation for the purpose of transporting high school pupils from their home districts where their

grades are not taught to the most convenient accredited high school. In the establishment of bus routes for the transportation of public school children within the county, the county boards of education and the county superintendents are hereby authorized to conduct hearings and to determine convenience and necessity of each route so established. The county boards of trustees shall give due consideration to economy in operation of the bus routes and to the efficiency of the schools of the county in the program of equalization of educational opportunities. The county superintendent of each of the several counties of this State shall submit to the State Department of Education not later than August 1, 1937, a description of the county system of transportation upon forms prescribed by the State Department of Education for the purpose. The State Superintendent shall have the right to inquire into the establishment of bus routes in order to determine whether or not such routes are being economically and efficiently planned and whether or not such routes are necessary for the equalization of educational opportunities. It is further provided that the districts through which school buses travel may make provision with the county superintendent and the county school board to have elementary children transported within and between their respective districts. In no case, however, shall the State be responsible for the cost of transportation of any pupil whose grade is taught in his home district when such pupil is transported to a school other than his own school.

"Aid for transportation of public school pupils shall be distributed to the counties on the basis of cost of operation of such public school buses not to exceed Two (\$2.00) Dollars per pupil per month for each child transported a distance greater than two and one-half (2½) miles. The distribution of transportation aid shall be on the basis of the need of the home district of the child transported and all districts within the county which are desirous of securing transportation for their children but whose budgets reflect their own ability to pay for such transportation shall be required to issue their warrants for their proportionate part of such transportation, making such warrants

payable to the county transportation fund.

"Each year thereafter, but prior to August 1, the county superintendents of each of the several counties shall present plans for the establishment of bus routes which have heretofore not been established and for the discontinuance of any existing bus routes. The State Superintendent shall prepare a list of such established bus routes and approve same as to their convenience, necessity, economy, and efficiency. He shall present said list to the State Board of Education not later than December 1, of each year, and shall indicate from the information furnished him the cost of operation, the number of children transported, and the needs for transportation aid. On the basis of this report the State Board of Education shall make its allotment for transportation aid for the entire year. County boards and county superintendents shall make a report as to the actual number of children transported during the first two months operation of school and on the basis of this report all aid shall be allotted. Counties that fail to make a report of transportation not later than December 1, shall not be eligible to receive transportation funds for the current year's operation.

"The State Board of Education is hereby given the right to prescribe rules and regulations governing the operation of public school buses with particular reference to safety devices and the proper management and control of school bus transportation within the State."

JONES of Wise,

WORLEY,

PATTERSON of Mills.

Mr. Jones of Wise withdrew the above amendment.

Mr. Thornton offered the following amendment to the bill:

Amend Senate Bill No. 185, by striking out on page 3, line 5, "three (3) miles" and substituting "two and one-half (2½) miles" and by striking out on page 6, line 30, "three (3)" and substituting therefor "two and one-half (2½)" and by striking out on page 7, line 36, "three and one-half (3½)" and substituting therefor "three (3)".

THORNTON,

SMITH of Hopkins,

JONES of Wise.

The amendment was adopted.

Mr. Davis of Jasper offered the following amendment to the bill:

Amend Senate Bill No. 185, page 6, by striking out the last paragraph of Section 10, beginning with lines 3 to 9 inclusive through the word "aid" and substituting in lieu thereof the following:

"Receiving high schools shall make application to the State Board of Education by December 15th of each year; at the time of making such application said school or schools shall file a certified report with the State Board of Education showing the exact number of pupils entitled to tuition and total amount of tuition said school is entitled to under the provisions of this Act, and such other information as the Board may require upon the examination and approval of said report by the State Board, said Board shall forward to the Depository of said School a voucher covering seventy-five (75) per cent of amount approved for said school by Jan. 1. Similar reports and payments shall be made by March 15th and June 15th of each year; provided, however, that upon the approval of the final report said Board shall pay in full the amounts approved for said school for that year including the twenty-five (25) per cent withheld as stated above."

The amendment was adopted.

Mr. Fielden offered the following amendment to the bill:

Amend Senate Bill No. 185, page 3, lines 14 and 15, by striking out the words "But said additional teacher shall not be added until at least five (5) additional scholastics have been secured", and add in lieu thereof the following, "or fractional part thereof".

FIELDEN,

KERN,

LANKFORD,

JOHNSON of Ellis,

MOFFETT.

Mr. Tennyson offered the following substitute for the amendment by Mr. Fielden:

Substitute for Lankford-Fielden amendment to Senate Bill No. 185, page 3, line 15, by striking out "five (5)" and insert in lieu thereof "two (2)".

TENNYSON,

SMITH of Hopkins,

MOFFETT,

HARRIS of Archer,
JOHNSON of Ellis.

Mr. Reader moved the previous question on the pending amendments and the final passage of Senate Bill No. 185, and the main question was ordered.

Question first recurring on the substitute amendment by Mr. Tennyson, it was adopted.

Question then recurring on the amendment, as substituted, yeas and nays were demanded.

The amendment, as substituted, was adopted by the following vote:

Yeas—85

Adkins	Jones of Angelina
Alexander	Jones of Falls
Alsup	Jones of Wise
Amos	Kelt
Bates	King
Beckworth	Langdon
Bell	Lankford
Boethel	Lanning
Bond	Leath
Boyer	Little
Bradbury	Loggins
Bradford	Lucas
Broadfoot	Mauritz
Brown	Mays
Burton	McConnell
Callan	Moffett
Cathey	Monkhouse
Cleveland	Morris
Davis of Haskell	Oliver
Davis of Jasper	Palmer
Davisson	Patterson of Mills
of Eastland	Ragsdale
Deglandon	Reader
Dickison	Reed of Bowie
Dollins	Rhodes
England	Schuenemann
Farmer	Sewell
Fielden	Sharpe
Fox	Skaggs
Fuchs	Smith of Hopkins
Hamilton	Smith
Harbin	of Matagorda
Hardin	Smith of Tarrant
Harper	Talbert
Harrell	Tarwater
Harris of Archer	Tennant
Harris of Dickens	Tennyson
Herzik	Thornberry
Holland	Waggoner
Hoskins	Weldon
Huddleston	Westbrook
Hull	Winfree
James	Worley
Johnson of Ellis	

Nays—38

Blankenship Bridgers

Carssow	Metcalf
Colquitt	Morse
Gibson	Newton
Graves	Nicholson
Hanna	Patterson
Harris of Dallas	of Travis
Johnson	Petsch
of Tarrant	Powell
Jones of Atascosa	Quinn
Keith	Reed of Dallas
Kenyon	Riddle
Kern	Ross
Knetsch	Settle
Leonard	Stevenson
Leyendecker	Stinson
London	Stocks
McCracken	Thornton
McDonald	Vale
McKee	Wood

Absent

Cauthorn	Jackson
Celaya	Keefe
Davison of Fisher	McFarland
Dean	McKinney
Felty	Pope
Hankamer	Shell
Hartzog	Simpson
Heflin	Walker
Howard	

Absent—Excused

Baker	Prescott
Cagle	Roark
Derden	Russell
Hyder	Rutta
Mann	

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 185 was then passed by the following vote:

Yeas—127

Adkins	Callan
Alexander	Carssow
Alsup	Cathey
Amos	Cauthorn
Bates	Cleveland
Beckworth	Colquitt
Bell	Davis of Haskell
Blankenship	Davis of Jasper
Boethel	Davison of Fisher
Bond	Davisson
Boyer	of Eastland
Bradbury	Deglandon
Bradford	Dickison
Bridgers	Dollins
Broadfoot	England
Brown	Farmer
Burton	Fielden

Fox	McKee
Fuchs	Metcalfe
Gibson	Moffett
Graves	Monkhouse
Hamilton	Morris
Hankamer	Morse
Hanna	Newton
Harbin	Oliver
Hardin	Palmer
Harper	Patterson of Mills
Harrell	Patterson
Harris of Archer	of Travis
Harris of Dallas	Pope
Harris of Dickens	Powell
Herzik	Quinn
Holland	Ragsdale
Hoskins	Reader
Huddleston	Reed of Bowie
Hull	Reed of Dallas
Hyder	Rhodes
James	Riddle
Johnson of Ellis	Ross
Johnson	Schuenemann
of Tarrant	Settle
Jones of Atascosa	Sewell
Jones of Angelina	Sharpe
Jones of Falls	Shell
Jones of Wise	Simpson
Keefe	Skaggs
Keith	Smith of Hopkins
Kelt	Smith
Kenyon	of Matagorda
Kern	Smith of Tarrant
King	Stevenson
Langdon	Stinson
Lankford	Talbert
Lanning	Tennant
Leath	Tennyson
Leonard	Thornberry
Leyendecker	Thornton
Little	Vale
Loggins	Waggoner
Lucas	Walker
Mauritz	Weldon
Mays	Westbrook
McConnell	Winfree
McCracken	Wood
McDonald	Worley
McFarland	

Nays—4

Knetsch	Nicholson
London	Petsch

Absent

Celaya	Howard
Dean	Jackson
Felty	McKinney
Hartzog	Stocks
Heflin	Tarwater

Absent—Excused

Baker	Prescott
Cagle	Roark
Derden	Russell
Mann	Rutta

Mr. Thornton moved to reconsider the vote by which Senate Bill No. 185 was passed, and to table the motion to reconsider.

The motion to table prevailed.

REASON FOR VOTE

Explanatory of my vote upon the question of final passage of Senate Bill No. 185:

"I vote against final passage of said bill, not in expressing my sentiment upon the principle of State aid to district schools, for I definitely favor such a policy, but in expressing my dissatisfaction with the conditions, as set up in said bill, upon which the distribution of aid to schools is contingent."

NICHOLSON.

MESSAGE FROM THE SENATE

Austin, Texas, May 20, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 821, A bill to be entitled "An Act to declare the necessity of creating public bodies corporate and politic to be known as housing authorities to undertake slum clearance and projects to provide dwelling accommodations for persons of low income; to create such housing authorities in cities having a population of more than 5,000 and in counties; to define the powers and duties of housing authorities and to provide for the exercise of such powers, including acquiring property, borrowing money, issuing bonds and other obligations, and giving security therefor; to provide that housing authorities, their property and securities shall be exempt from taxation and assessment, but to authorize certain payments in lieu of taxes; to provide for a certification of the bonds by the Attorney General; and to confer remedies on obligees of housing authorities, and to declare an emergency." (With amendments.)

Has concurred in House amendments to Senate Bill No. 300 by the following vote: Yeas, 31; Nays, 0.

The Senate has adopted the conference committee report on House Bill

No. 560 by the following vote: Yeas, 31; Nays, 0.

Respectfully,
BOB BARKER,
Secretary of the Senate.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT
ON HOUSE BILL NO. 1169

The Speaker laid before the House, as pending business, the conference committee report on House Bill No. 1169.

The report having been submitted to the House on this morning, with motion by Mr. Morse that the report be adopted, and motion by Mr. Smith of Tarrant that the report be not adopted, pending.

Mr. Morse withdrew the motion that the report be adopted, and by unanimous consent of the House, the report was not adopted, and same was referred to the same committee for further consideration.

CONFERENCE COMMITTEE REPORT ON SENATE BILL
NO. 140

Mr. Graves, Chairman, submitted the following Conference Committee Report on Senate Bill No. 140:

Committee Room,

Austin, Texas, May 19, 1937.

Honorable Walter F. Woodul, President of the Senate.

Honorable R. W. Calvert, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the two Houses in Senate Bill No. 140, beg leave to report that we have had same under con-

sideration, and recommend that it do pass in the form and text attached hereto.

Respectfully submitted,
REDDITT,
ONEAL,
HOLBROOK,
On the part of the Senate.

GRAVES,
BECKWORTH,
LEONARD,
McDONALD,
ALSUP,
On the part of the House.

S. B. No. 140,

A BILL

To Be Entitled

An Act making appropriations for the support, maintenance and improvement of the Eleemosynary Institutions of the State of Texas for the two year period beginning September 1, 1937, and ending August 31, 1939, and prescribing certain regulations and restrictions in respect to the expenditure of said appropriations, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That the several sums of money herein specified, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, or out of special funds as may be shown, to the several Eleemosynary Institutions named herein and for the purposes indicated, for the two-year period beginning September 1, 1937, and ending August 31, 1939.

ABILENE STATE HOSPITAL, ABILENE

For the Years Ending
August 31, August 31,
1938 1939

Salaries:

2. Superintendent, with provisions for self and family, not to exceed in value \$500 per annum; also water, lights, fuel, laundry, housing	\$ 3,250.00	\$ 3,250.00
3. Assistant superintendent and physician, with board and laundry for self and family	2,750.00	2,750.00
4. Four physicians, none exceeding \$2,400 per year, with board and laundry for selves and families	9,600.00	9,600.00

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	For the Years Ending	
	August 31, 1938	August 31, 1939
5. Attendants, basis \$45 per month, none to exceed \$55 per month	47,520.00	47,520.00
6. Butcher and baker	900.00	900.00
7. Barber	624.00	624.00
8. Carpenter	810.00	810.00
9. Carpenter, assistant	666.00	666.00
10. Recreational director	960.00	960.00
11. Chaplain, part-time	300.00	300.00
12. Cooks, basis of \$40 per month, none to exceed \$45 per month	10,560.00	10,560.00
14. Dairyman, assistant	570.00	570.00
15. Dentist, with board and laundry for self and family	1,800.00	1,800.00
16. Dietitian	1,320.00	1,320.00
17. Dining room girls, none exceeding \$34 per month	6,528.00	6,528.00
18. Pharmacist	1,080.00	1,080.00
19. Engineer, chief	1,380.00	1,380.00
20. Engineer, first assistant	948.00	948.00
21. Engineer, second assistant	810.00	810.00
23. Engineer, ice	684.00	684.00
24. Farm superintendent	962.00	962.00
25. Farm hand	540.00	540.00
26. Fireman, three	1,826.00	1,826.00
27. Hall boy	500.00	500.00
28. Laundress, head	810.00	810.00
29. Laundresses, none to exceed \$37 per month	5,328.00	5,328.00
30. Matron	666.00	666.00
31. Night watchman, outside	642.00	642.00
32. Nurses, three graduates, and other trained, none to exceed \$75 per month except head nurse not exceeding \$1,200	3,600.00	3,600.00
33. Painter and plasterer	672.00	672.00
34. Seamstresses, none to exceed \$35 per month	1,680.00	1,680.00
35. Cartman	432.00	432.00
36. Shoemaker	810.00	810.00
37. Storekeeper-accountant, with board and laundry for self and family	1,500.00	1,500.00
38. Storekeeper-accountant, assistant	900.00	900.00
39. Secretary	1,000.00	1,000.00
40. Social service worker	1,200.00	1,200.00
41. Supervisor, day	810.00	810.00
42. Supervisor, day, assistant	672.00	672.00
43. Supervisor, night	700.00	700.00
44. Supervisoress, day	810.00	810.00
45. Supervisoress, day, assistant	672.00	672.00
46. Supervisoress, night	700.00	700.00
47. Tailor	666.00	666.00

		For the Years Ending August 31, 1938 August 31, 1939	
48.	Teachers, arts and crafts, two, none to exceed \$75 per month	1,620.00	1,620.00
49.	Additional salaries if new buildings are granted	2,128.00	5,776.00
Total Salaries		\$124,906.00	\$128,554.00
Maintenance and Miscellaneous:			
50.	Support and maintenance	\$175,000.00	\$175,000.00
51.	Additional support and maintenance if new buildings are granted	5,500.00	16,500.00
53.	Traveling expenses of superintendent	250.00	250.00
56.	Laundry machinery	3,800.00	.....
Total Maintenance and Miscellaneous		\$184,550.00	\$191,750.00
Improvements, Repairs and Buildings:			
59.	General repairs and improvements	\$ 6,000.00	\$ 6,000.00
60.	Dormitory and equipment .....	.....	55,000.00
60a.	Dormitory with equipment for feeble-minded, idiotic, and imbecilic epileptics, which class of patients the superintendent is hereby directed to accept	60,000.00	.....
61.	Assistant physicians' cottages	4,200.00	4,200.00
62.	Storeroom addition	6,000.00	.....
62a.	Electric wiring distribution	1,700.00	1,700.00
63.	Beauty Shop and equipment	2,250.00	.....
64.	Addition to laundry .....	.....	6,000.00
64a.	Hot water process softener and piping	5,250.00	.....
68a.	Bath and sanitary betterments	3,000.00	.....
69.	Buttermilk machine and sweet-milk pasteurizer	3,000.00	.....
Total improvements, repairs and buildings		\$ 91,400.00	\$ 72,900.00
Grand Totals		\$400,856.00	\$393,204.00

ALABAMA AND COUSHATTI INDIANS, LIVINGSTON

Salaries:

1.	Agent and farm supervisor, with provisions for self and family not to exceed in value \$350.00 per annum, also house, water, lights. May be supplemented for any Federal work from U. S. funds as approved by Board of Control	\$ 1,350.00	\$ 1,350.00
4.	Nurse, graduate, with apartment, water lights, fuel	1,260.00	1,260.00
5.	Maid, for hospital, seasonal	150.00	150.00

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		For the Years Ending	
		August 31, 1938	August 31, 1939
6. Dentist, part-time		624.00	624.00
7. Physician, part-time		975.00	975.00
Total Salaries	\$	4,359.00	\$ 4,359.00
Maintenance and improvements:			
11. Travel expenses of nurse, on or off reservation	\$	180.00	\$ 180.00
12. Upkeep of clinic, meals and laundry for patients		150.00	150.00
13. Oil and gas for utilities and equipment.....		500.00	500.00
14. Medicine and drug sundries		500.00	500.00
16. Houses, equipment, repairs, improvements, support, maintenance and contingent expenses		5,500.00	5,500.00
17. Teachers' quarters, if not provided by U. S. funds		2,400.00	-----
22. Electric plant installed		1,000.00	-----
Total Maintenance and Improvements	\$	10,230.00	\$ 6,830.00
Grand Totals	\$	14,589.00	\$ 11,189.00

AUSTIN STATE HOSPITAL

Salaries:

2. Superintendent, with provisions for self and family, not to exceed in value \$500 per annum, together with water, lights, laundry, fuel and housing	\$	3,250.00	\$ 3,250.00
3. Assistant superintendent and physician, with board and laundry for self and family.....		2,750.00	2,750.00
4. Physicians, with board and laundry for selves and families, none to exceed \$2,400 per annum		14,400.00	14,400.00
5. Attendants, basis \$45.00, none exceeding \$55.00 per month, except five at not exceeding \$57.00 per month		87,480.00	87,480.00
7. Baker		810.00	810.00
8. Bakers, two, none exceeding \$40.00 per month		948.00	948.00
9. Barbers, none exceeding \$50 per month		1,800.00	1,800.00
10. Blacksmith		648.00	648.00
11. Butcher		624.00	624.00
12. Carpenters, two, none exceeding \$67.50 per month		1,560.00	1,560.00
14. Cartman		432.00	432.00
15. Chaplain		400.00	400.00
16. Clerk, clothing		450.00	450.00
17. Cook, chief		810.00	810.00

		For the Years Ending August 31, August 31,	
		1938	1939
18.	Cooks, basis \$40, none exceeding \$45.00 per month	10,080.00	10,080.00
19.	Dairyman	960.00	960.00
22.	Dentist, with board and laundry for self and family	1,800.00	1,800.00
24.	Dietitian, graduate	1,320.00	1,320.00
25.	Dining room supervisoress	570.00	570.00
26.	Dining room girls, none to exceed \$34.00 per month	9,792.00	9,792.00
27.	Engineer, chief, with house, water and lights	1,365.00	1,365.00
28.	Engineers, three; one at \$948.00 per annum, none to exceed \$720	2,376.00	2,376.00
29.	Engineer, ice plant	666.00	666.00
30.	Engineer, laundry	666.00	666.00
31.	Farmer, head, with house, water and lights	810.00	810.00
32.	Farm hands, three, none to exceed \$45 per month	1,422.00	1,422.00
33.	Firemen, three, none to exceed \$55 per month	1,926.00	1,926.00
35.	General maintenance man	960.00	960.00
36.	Hall boy	500.00	500.00
37.	Laboratory and X-ray technician	1,000.00	1,000.00
38.	Laundress, head	810.00	810.00
39.	Laundresses, basis \$37 per month, none exceeding \$42 per month	6,912.00	6,912.00
40.	Librarian	572.00	572.00
41.	Matron	666.00	666.00
43.	Mattress maker	600.00	600.00
44.	Nurses, graduate, head at \$1,200 per month, no others to exceed \$75 per month	5,100.00	5,100.00
45.	Nurse, for female infirmary	666.00	666.00
46.	Nurses for tuberculars, two at \$52 per month	1,248.00	1,248.00
47.	Painter	672.00	672.00
49.	Pathologist, with board, room and laundry for self and if an M. D., for family	1,800.00	1,800.00
50.	Pharmacist	1,080.00	1,080.00
51.	Plasterer	672.00	672.00
52.	Plumber	720.00	720.00
53.	Psychiatric social service workers, one at \$1,200	2,100.00	2,100.00
54.	Seamstress, head	666.00	666.00
55.	Seamstresses, none to exceed \$37 per month	3,024.00	3,024.00
56.	Secretary	1,050.00	1,050.00
57.	Shoemaker	810.00	810.00
58.	Steamfitter	720.00	720.00
59.	Stenographers, none exceeding \$660 per year	1,290.00	1,290.00
60.	Storekeeper-accountant, with board, housing and laundry for self and family	1,500.00	1,500.00

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	For the Years Ending August 31, August 31, 1938 1939	
61. Storekeeper-accountant, assistants, two, none to exceed \$75 per month	1,560.00	1,560.00
62. Supervisor, with house, water and lights	810.00	810.00
63. Supervisors, two, none exceeding \$700 per year	1,372.00	1,372.00
64. Supervisoress	810.00	810.00
65. Supervisoresses, two, none exceeding \$700 per year	1,372.00	1,372.00
66. Tailor	672.00	672.00
67. Teacher, occupational therapy	1,020.00	1,020.00
68. Teachers, occupational therapy, three, none to exceed \$75 per month	2,340.00	2,340.00
69. Telephone operator	500.00	500.00
70. Truck driver	565.00	565.00
72. Watchmen, two, none exceeding \$57 per month	1,296.00	1,296.00
73a. Additional salaries for new building	3,408.00	8,739.00
Total Salaries	\$200,978.00	\$206,309.00
Maintenance and Miscellaneous:		
74. Support and maintenance	\$331,000.00	\$331,000.00
74a. Additional support and maintenance for new buildings	11,000.00	33,000.00
75. Special treatment fund	1,500.00	1,500.00
76. Travel expense of superintendent	250.00	250.00
77. Travel expense of social workers	600.00	600.00
Total Maintenance and Miscellaneous	\$344,350.00	\$366,350.00
Improvements, Repairs, and Buildings:		
80. General repairs and improvements	\$ 19,000.00	\$ 19,000.00
80a. Bath and sanitary betterments	10,000.00	.....
81. Ward building and equipment, each year.....	115,000.00	115,000.00
90. Dining hall at the men's north ward building .....	.....	38,200.00
91. Dormitory for employees .....	.....	75,000.00
93. Ice plant, building, vaults, refrigeration machinery and equipment	20,000.00	.....
94. Turbine pump and well repairs	4,500.00	.....
Total improvements, repairs and buildings	\$168,500.00	\$245,600.00
Grand Totals	\$713,828.00	\$834,859.00

AUSTIN STATE SCHOOL
(Main)

Salaries: (12 months)

2. Superintendent, with provisions for self and family, not to exceed in value \$500 per annum; also fuel, light, water, laundry, and housing....	\$ 3,250.00	\$ 3,250.00
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	For the Years Ending August 31, August 31, 1938 1939	
3. Assistant superintendent and physician, with board for self and family, and house.....	2,750.00	2,750.00
4. Physician and pathologist, with board, room and laundry for self and family	2,400.00	2,400.00
5. Physician, with board, room and laundry for self and family	2,400.00	2,400.00
6. Attendants, basis \$45 per month, none to exceed \$55, except two at not exceeding \$57 per month	47,520.00	47,520.00
8. Baker	810.00	810.00
9. Barbers, two at \$54 per month	1,296.00	1,296.00
10. Barnman	525.00	525.00
12. Butcher and iceman	666.00	666.00
13. Carpenter	810.00	810.00
14. Carpenter, assistant	720.00	720.00
15. Chaplain	375.00	375.00
16. Cook, chief	720.00	720.00
17. Cooks, basis \$40, none exceeding \$45 per month	7,680.00	7,680.00
21. Dentist, also assigned to School for Blind, and Deaf and Dumb Institute for Colored; with board and laundry for self and family; he to furnish own auto	2,100.00	2,100.00
22. Dietitian-matron	1,200.00	1,200.00
23. Engineer, with house, water, lights and fuel	1,350.00	1,350.00
24. Engineer, first assistant and laundryman	870.00	870.00
25. Engineer, assistant	870.00	870.00
26. Farm hands and laborers, none exceeding \$42 per month	1,386.00	1,386.00
27. Farmer and outside supervisor	810.00	810.00
28. Firemen, three, at \$600 per year	1,800.00	1,800.00
29. Gardner	720.00	720.00
30. Laundress, head	780.00	780.00
31. Laundresses, six, basis \$36, none exceeding \$42 per month	2,592.00	2,592.00
32. Night watchman	660.00	660.00
33. Nurse, head graduate	1,200.00	1,200.00
34. Nurses, graduate, none exceeding \$75 per month	2,700.00	2,700.00
35. Painter	672.00	672.00
38. Pharmacist; also serves Deaf, Dumb, and Blind Institute for Colored	1,080.00	1,080.00
40. Plumber	720.00	720.00
41. Psychiatrist-psychologist, with board, room and laundry for self and family	2,400.00	2,400.00
42. Seamstress	652.00	652.00
43. Seamstresses, assistant, at \$36 per month	864.00	864.00
44. Shoemaker	810.00	810.00

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		For the Years Ending August 31, August 31,	
		1938	1939
45.	Social Worker	1,200.00	1,200.00
46.	Secretary	1,050.00	1,050.00
47.	Stenographer, clerk and telephone operator....	672.00	672.00
47a.	Stenographer for psychiatrist	672.00	672.00
48.	Storekeeper-accountant, with board for self and family	1,425.00	1,425.00
49.	Storekeeper, assistant	720.00	720.00
50.	Supervisor	810.00	810.00
51.	Supervisor, night	700.00	700.00
52.	Supervisoress	810.00	810.00
53.	Supervisoress, assistant	672.00	672.00
54.	Supervisoress, night	700.00	700.00
55.	Waitresses, five, none exceeding \$34 per month Instructional Staff (eleven months)	2,040.00	2,040.00
56.	Educational director	1,620.00	1,620.00
57.	Director, orchestra	972.00	972.00
58.	Teachers, grade, none exceeding \$85 per month	2,805.00	2,805.00
59.	Teachers, industrial, none exceeding \$85 per month	3,585.00	3,585.00
60.	Teacher, kindergarten	972.00	972.00
61.	Teacher, manual training	972.00	972.00
62.	Teacher, music	972.00	972.00
63.	Teachers, physical training, at \$972	1,944.00	1,944.00
64.	Teacher, primary	972.00	972.00
65.	Teachers and supervisors, for deaf, none ex- ceeding \$82 per month	1,710.00	1,710.00
66.	Additional employees, if ward building granted	3,360.00	10,080.00
66a.	Additional employees, if tuberculosis ward granted	2,200.00	3,300.00
Total Salaries		\$131,713.00	\$139,533.00
Maintenance and Miscellaneous:			
67.	Support and maintenance	\$178,500.00	\$178,500.00
68.	Additional support and maintenance for new buildings	10,000.00	30,000.00
69.	Surgery, and ear, eye, nose and throat	900.00	900.00
70.	Travel expenses of superintendent	250.00	250.00
Total Maintenance and Miscellaneous		\$189,650.00	\$209,650.00
Improvements, Repairs and Buildings:			
73.	Administration, office and laboratory building with equipment	\$	\$ 67,500.00
74.	Cottage with equipment for tubercular pa- tients, both male and female	35,000.00	.....
75.	Dormitories and equipment	117,500.00	117,500.00
76.	General repairs and improvements	11,000.00	11,000.00
78.	Laundry building and equipment	26,000.00	.....

	For the Years Ending	
	August 31, 1938	August 31, 1939
80. Storeroom building and employee's quarters		40,000.00
81. Bath and sanitary betterments	2,500.00	.....
Total improvements, repairs and building	\$192,000.00	\$236,000.00
Grand Totals	\$513,363.00	\$585,183.00

The Board of Control is hereby authorized to set aside and operate one of the buildings at the Austin State School for which appropriations are herein made for the care of deaf or speechless feeble-minded and the feeble-minded whose speech is greatly impaired.

AUSTIN STATE SCHOOL FARM COLONY
(Branch of Austin State School)

Salaries: (Twelve months)		
1a. Resident superintendent and superintendent of State Dairy products plant, with provisions not to exceed \$500 and house and laundry for self and family	\$ 2,400.00	\$ 2,400.00
2. Farm supervisor, with house, water and lights	900.00	900.00
3. Attendants, basis \$45, none exceeding \$55 per month	8,100.00	8,100.00
5. Cooks, none exceeding \$40 per month	1,440.00	1,440.00
7. Dairyman	810.00	810.00
8. Dairyman, assistant	574.00	574.00
10. Farm hands and laborers, none exceeding \$42 per month	2,247.00	2,247.00
11. Fireman and repairman	780.00	780.00
12. Gardner	840.00	840.00
14. Storekeeper	900.00	900.00
14a. Stenographer-assistant storekeeper	780.00	780.00
15. Utility man or watchman	624.00	624.00
16. Additional salaries if new dormitories granted	3,608.00	9,020.00
Total Salaries	\$ 24,003.00	\$ 29,415.00
Maintenance and Miscellaneous:		
17. Support and maintenance	\$ 40,000.00	\$ 40,000.00
18. Support and maintenance, additional for new buildings	10,000.00	25,000.00
Total maintenance and miscellaneous	\$ 50,000.00	\$ 65,000.00
Improvements, Repairs and Buildings:		
18a. General repairs and improvements (including barns, sheds)	\$ 4,000.00	\$ 4,000.00
19. Additional land	4,000.00	.....
22. Employees cottages, two	4,000.00	.....
23. Ward buildings and equipment	120,000.00	60,000.00

		For the Years Ending	
		August 31, 1938	August 31, 1939
25.	Store room and employees' quarters addition		10,000.00
28.	Sewerage plant	10,000.00	
Total improvements, repairs and buildings		\$142,000.00	\$ 74,000.00
Grand Totals		\$216,003.00	\$168,415.00

STATE COLORED ORPHANS' HOME, GILMER

Salaries: (Twelve months unless otherwise noted)

2.	Superintendent and storekeeper, with house, fuel, lights, water and board for self and family	\$ 1,620.00	\$ 1,620.00
3.	Secretary-accountant	540.00	540.00
4.	Carpenter-manual training teacher	600.00	600.00
5.	Chaplain, seasonal	120.00	120.00
6.	Cook	432.00	432.00
7.	Dairyman-poultryman	432.00	432.00
8.	Dentist, part-time	270.00	270.00
9.	Dining hall matron-laundress	432.00	432.00
10.	Farm foreman	432.00	432.00
11.	Home economics-primary teacher	540.00	540.00
12.	Matrons at \$432 per year	1,296.00	1,296.00
15.	Physician, part-time	432.00	432.00
16.	Teachers, two, none to exceed \$55 per month (ten months)	1,100.00	1,100.00
17.	Nurse, graduate	528.00	528.00
Total Salaries		\$ 8,774.00	\$ 8,774.00

Maintenance, Miscellaneous and Improvements

22.	Support, maintenance and transportation	\$ 18,000.00	\$ 18,000.00
23.	Repairs and improvements	2,000.00	2,000.00
28.	Calf shed	300.00	
29.	Dairy barn	500.00	
30.	Water main	750.00	
Total maintenance, miscellaneous and improvements		\$21,550.00	\$ 20,000.00
Grand Totals		\$ 30,324.00	\$ 28,774.00

TEXAS CONFEDERATE HOME

For the Years Ending
August 31, August 31,
1938 1939

Salaries:

2. Superintendent, with provisions for self and family, not to exceed in value \$500 per annum; also, fuel, water, lights, laundry, housing	\$ 2,250.00	\$ 2,250.00
3. Barber	570.00	570.00
4. Carpenter and plumber, with house, water, lights, fuel	642.00	642.00
5. Chaplain, also for Women's Confederate Home, elevator operator in spare time	900.00	900.00
6. Cook, chief	720.00	720.00
7. Cooks, none exceeding \$45	1,440.00	1,440.00
8. Dietitian, graduate	1,260.00	1,260.00
11. Chief engineer, with meals and laundry	1,380.00	1,380.00
13. Fireman, two, none exceeding \$52 per month, with house, water lights, fuel	1,248.00	1,248.00
14. Housekeepers, two	780.00	780.00
15. Janitors and attendants, none to exceed \$42.50 per month	1,010.00	1,010.00
16. Laundry supervisor	672.00	672.00
17. Laundress, none to exceed \$33 per month	1,750.00	1,750.00
19. Night watchman, with house, water, lights, fuel	654.00	654.00
20. Nurses, two, head must be graduate, none to exceed \$80.00 per month	1,620.00	1,620.00
21. Nurses, practical, basis \$45, none to exceed \$60 per month	6,480.00	6,480.00
23. Pharmacist	1,080.00	1,080.00
24. Secretary, also postmaster and letter writer for inmates	840.00	840.00
25. Seamstress	390.00	390.00
26. Storekeeper and accountant, with board, room, laundry for self and family	1,200.00	1,200.00
27. Physician, part-time, with board and laundry, if desired	1,320.00	1,320.00
28. Truck driver, with house, water, lights, fuel	565.00	565.00
29. Waitress, head	432.00	432.00
30. Waitresses, none to exceed \$32 per month	2,376.00	2,376.00
31. Yardman	480.00	480.00
Total Salaries	\$ 32,059.00	\$ 32,059.00

Maintenance and Miscellaneous:

32. Support and maintenance	\$ 35,000.00	\$ 30,000.00
33. Drugs and hospital supplies	2,000.00	1,800.00

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		For the Years Ending	
		August 31, 1938	August 31, 1939
34.	Literature, papers and postage	400.00	400.00
	Total Maintenance and Miscellaneous ..	\$ 37,400.00	\$ 32,200.00
Improvements, Buildings, Repairs:			
37.	General repairs	2,000.00	2,000.00
	Total Repairs and Improvements	\$ 2,000.00	2,000.00
	Grand Totals	\$ 71,459.00	\$ 66,259.00

CONFEDERATE WOMAN'S HOME

Salaries:

2.	Superintendent, with provisions for self and family, not to exceed in value \$500 per annum, with fuel, water, light, laundry, housing	\$ 2,250.00	\$ 2,250.00
3.	Attendants, extra	390.00	390.00
4.	Attendant and cook for superintendent	410.00	410.00
5.	Attendants, hospital, four	1,440.00	1,440.00
6.	Cook, main building	552.00	552.00
7.	Cook, hospital building	552.00	552.00
9.	Dining room girls, four	1,584.00	1,584.00
10.	Hostess-matron	720.00	720.00
11.	Janitor and driver	570.00	570.00
12.	Night watchman	792.00	792.00
13.	Nurses, two, none exceeding \$70 per month	1,680.00	1,680.00
14.	Nurses, four	2,160.00	2,160.00
15.	Nurses, night, four	2,160.00	2,160.00
16.	Nurses, extra	1,200.00	1,200.00
17.	Physician, part-time	1,080.00	1,080.00
18.	Storekeeper-accountant, with board, room, and laundry for self and family	1,200.00	1,200.00
19.	Matron of hospital	648.00	648.00
20.	Seamstress	510.00	510.00
21.	Yardman	552.00	552.00
22.	Engineer, plumber and repair man	810.00	810.00
	Total Salaries	\$ 21,980.00	\$ 21,980.00

Maintenance and Miscellaneous:

24.	Support and maintenance	\$ 27,000.00	\$ 27,000.00
25.	Ear, eye, nose and throat	300.00	300.00
26.	Glasses on prescription	100.00	100.00

	Total Maintenance and Miscellaneous ..	\$ 27,400.00	\$ 27,400.00
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Repairs and Improvements:

28.	General Repairs and Improvements	\$ 2,500.00	\$ 2,500.00
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		For the Years Ending August 31, August 31,	
		1938	1939
30.	Elevator for hospital building	3,500.00
31.	Elevator shaft-penthouse	500.00	.....
Total Repairs and Improvements		\$ 6,500.00	\$ 2,500.00
Grand Totals		\$ 55,880.00	\$ 51,880.00

**DEAF, DUMB AND BLIND INSTITUTE
FOR COLORED YOUTHS**

Salaries (Twelve months unless otherwise noted):

2.	Superintendent, with provisions for self and family, not to exceed in value \$500 per annum, with fuel, light, water, housing and laundry	\$ 2,100.00	\$ 2,100.00
4.	Cooks, four, two nine months, head at \$50, others not exceeding \$40 per month	1,800.00	1,800.00
5.	Cook-waitress, nine months	300.00	300.00
7.	Dairyman, two, none exceeding \$45 per month	720.00	720.00
8.	Dietitian, nine months	630.00	630.00
9.	Dishwasher	360.00	360.00
12.	Engineer, electrician-plumber, twelve months	900.00	900.00
13.	Engineer, assistant, nine months	495.00	495.00
14.	Farmer, foreman	480.00	480.00
15.	Farm hand	372.00	372.00
16.	Janitor, yardman, truck driver	420.00	420.00
18.	Laundryman, head	750.00	750.00
19.	Laundresses, seven, four for nine months, three for twelve months, none exceeding \$31.50 per month	2,160.00	2,160.00
20.	Matrons, nine, nine months, one at \$45, no other exceeding \$40 per month	3,645.00	3,645.00
23.	Night watchman	520.00	520.00
24.	Nurse, registered, nine months	618.00	618.00
25.	Occulist, nine months	760.00	760.00
26.	Physician, nine months	700.00	700.00
27.	Storekeeper-accountant, with board, laundry, fuel, light, water and housing for self and family	1,020.00	1,020.00
28.	School principal, ten months	1,100.00	1,100.00
31.	Teachers, twelve, nine months, basis \$74 none exceeding \$76 per month	7,920.00	7,920.00
33.	Teachers, industrial, basis \$63.50, one 11 months, 10 nine months, none exceeding \$70 per month	6,413.00	6,413.00

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	For the Years Ending August 31, August 31, 1938 1939	
34. Teachers, music, three, nine months, basis \$74, none exceeding \$80	1,998.00	1,998.00
35. Teacher, music, including band, nine months	540.00	540.00
Total Salaries	\$ 36,521.00	\$ 36,521.00
Maintenance and Miscellaneous:		
36. Support and maintenance	\$ 54,000.00	\$ 54,000.00
42. Transportation, indigent pupils	500.00	500.00
43. Travel expenses for superintendent	100.00	100.00
Total Maintenance and Miscellaneous	\$ 54,600.00	\$ 54,600.00
Improvements, Repairs and Buildings:		
44. Repairs and Improvements	\$ 3,000.00	\$ 3,000.00
45a. Bath and sanitary betterments	1,000.00	.....
46. Superintendents house	5,500.00	.....
47. Hot water process softener equipment	3,500.00	.....
48. Laundry machinery	1,500.00	3,300.00
Total improvements, repairs, and buildings	\$ 14,500.00	\$ 6,300.00
Grand Totals	\$105,621.00	\$ 97,421.00

GALVESTON STATE PSYCHOPATHIC HOSPITAL

Salaries:

2. Superintendent, with provisions for self and family, not to exceed in value \$500 per annum, also water, lights, fuel, laundry, housing	\$ 3,250.00	\$ 3,250.00
3. Assistant superintendent and physician, with room, board and laundry for self and family	2,750.00	2,750.00
4. Physician (may be supplemented with donated funds with room, board and laundry for self and family	2,400.00	2,400.00
5. Attendants, basis \$45 per month, none exceeding \$57	9,180.00	9,180.00
8. Technician	900.00	900.00
10. Psychiatrists, with board, room and laundry for selves and families	7,200.00	7,200.00
11. Psychiatrist (research director) with board, room and laundry for self and family	2,850.00	2,850.00
12. Chief cook	840.00	840.00

		For the Years Ending August 31, August 31, 1938 1939	
13.	Cook and baker, none exceeding \$60 per month	1,228.00	1,228.00
14.	Dish washer	420.00	420.00
15.	Dentist, part time	720.00	720.00
16.	Maintenance-engineer and mechanic	972.00	972.00
17.	Dietitian	1,200.00	1,200.00
18.	Janitor-yardman	570.00	570.00
19.	Night watchman	630.00	630.00
20.	Night janitor	480.00	480.00
21.	Nurses, graduate, one at \$125. Psychiatric nurses, none exceeding \$100, no other exceeding \$75	9,600.00	9,600.00
22.	Maids and dining room girls, none exceeding \$33 per month	2,040.00	2,040.00
23.	Secretary	975.00	975.00
24.	Stenographer-telephone operator and assistant to storekeeper-accountant	740.00	740.00
26.	Storekeeper-accountant, with board, room and laundry for self and family	1,500.00	1,500.00
26a.	Storekeeper-accountant, assistant	840.00	840.00
27.	Social service worker	1,200.00	1,200.00
28.	Supervisor-matron	810.00	810.00
29.	Teacher, occupational-therapy	1,140.00	1,140.00
30.	Recreational director	780.00	780.00
31.	Seamstress	440.00	440.00
32.	Orderlies, none to exceed \$40 per month	960.00	960.00
Total Salaries		\$ 56,615.00	\$ 56,615.00
Maintenance and Miscellaneous:			
35.	Support and maintenance	\$ 78,000.00	\$ 78,000.00
36.	Fuel, water, lights, power, heat and contingencies	14,000.00	14,000.00
37.	Travel expense of superintendent	250.00	250.00
38.	Travel expense of social service worker	200.00	200.00
40.	Individual treatment fund	1,400.00	1,400.00
41.	Scientific and technical equipment	3,000.00	750.00
Total maintenance and miscellaneous		\$ 96,850.00	\$ 94,600.00
Improvements, Repairs and Buildings:			
44.	Repairs and improvements	\$ 6 000.00	\$ 6,000.00
46.	For purchasing additional land	42,500.00	.....
48.	Storeroom addition	10,000.00	.....
Total improvements, repairs and buildings		\$ 58,500.00	\$ 6,000.00
Grand Totals		\$211,965.00	\$157,215.00

GIRLS TRAINING SCHOOL, GAINESVILLE

For the Years Ending
August 31, August 31,
1938 1939

Salaries (Twelve Months):

2. Superintendent, with provisions for self and family, not to exceed in value \$500 per annum; also lights, water, fuel, laundry, and housing.....	\$ 2,250.00	\$ 2,250.00
3. Assistant superintendent.....	1,080.00	1,080.00
4. Carpenter and painter.....	720.00	720.00
5. Chaplain.....	285.00	285.00
6. Cosmetician instructor.....	792.00	792.00
7. Dairyman-farmer, with house, lights, water, fuel.....	840.00	840.00
8. Dentist, part-time.....	600.00	600.00
9. Engineer, with house, lights, water and fuel.....	1,188.00	1,188.00
10. Farm assistant.....	720.00	720.00
11. Farm matron.....	648.00	648.00
12. Home-finding supervisor.....	1,080.00	1,080.00
13. Laundress, head.....	660.00	660.00
14. Matrons and housekeepers, basis \$55, none exceeding \$65 per month.....	10,560.00	10,560.00
15. Night watchman, with house, lights, water and fuel.....	660.00	660.00
16. Nurse graduate.....	1,200.00	1,200.00
17. Nurse, assistant.....	900.00	900.00
18. Physician, part-time.....	1,350.00	1,350.00
19. Social service worker.....	1,200.00	1,200.00
20. Secretary, part-time.....	520.00	520.00
21. Storekeeper-accountant, with board, laundry, for self and family.....	1,200.00	1,200.00
22. Teachers, academic, six, basis \$70, none exceeding \$77, except one at not exceeding \$90 per month.....	5,040.00	5,040.00
23. Teacher, commercial.....	900.00	900.00
24. Teacher, domestic science.....	840.00	840.00
25. Teacher, manual training.....	840.00	840.00
26. Teacher, music.....	900.00	900.00
27. Teacher, physical education.....	990.00	990.00
28. Teacher, sewing.....	900.00	900.00
29. Truck driver and helper.....	666.00	666.00
Total Salaries.....	\$ 39,529.00	\$ 39,529.00
Maintenance and Miscellaneous:		
30. Support and maintenance.....	\$ 44,000.00	\$ 44,000.00
31. Support and maintenance, additional, if new building is granted.....	4,000.00	8,000.00
33. Major surgical operations expense.....	600.00	600.00

		For the Years Ending August 31, August 31,	
		1938	1939
34.	Travel expenses	1,700.00	1,700.00
	Total maintenance and miscellaneous ..	\$ 50,300.00	\$ 54,300.00
	Improvements, Repairs and Buildings:		
36.	General repairs and improvements	\$ 3,250.00	\$ 3,250.00
37.	Dormitory and equipment for older incor- rigible girls	60,000.00	.....
42.	Walks and drives	500.00	500.00
43.	Laundry building	11,000.00	.....
44.	Laundry machinery .....	.....	6,000.00
	Total improvements, repairs and build- ings	\$ 74,750.00	\$ 9,750.00
	Grand Totals	\$164,579.00	\$103,579.00

STATE HOME FOR DEPENDENT AND NEGLECTED CHILDREN, WACO

Salaries (Twelve months, except not less than ten months for teachers):		
2.	Superintendent, with provisions for self and family, not to exceed in value \$500 per annum; also water, light, heat, laundry and housing....	\$ 2,250.00 \$ 2,250.00
3.	Athletic director, boys	1,080.00 1,080.00
4.	Band director	684.00 684.00
5.	Barber	576.00 576.00
7.	Carpenter and painter	600.00 600.00
9.	Chaplain, part-time	400.00 400.00
10.	Cook, chief	660.00 660.00
11.	Cooks, basis \$40, none exceeding \$45 per month	1,440.00 1,440.00
12.	Cook for superintendent	360.00 360.00
15.	Dentist, part-time	540.00 540.00
16.	Dietitian, graduate	1,200.00 1,200.00
17.	Engineer, chief, with meals and laundry	1,350.00 1,350.00
18.	Engineer-plumber, electrician	810.00 810.00
19.	Farmer-plumber, with house	810.00 810.00
20.	Fireman	648.00 648.00
21.	Laundry supervisor	660.00 660.00
22.	Laundry assistant	420.00 420.00
23.	Librarian and secretary	750.00 750.00
24.	Matrons, none exceeding \$45 per month	5,100.00 5,100.00
25.	Matrons for baby cottage, none exceeding \$45 per month	2,160.00 2,160.00
26.	Nurse, graduate	1,020.00 1,020.00
27.	Nurse, night	570.00 570.00
28.	Physician, part-time	1,080.00 1,080.00
30.	Physical director, girls	900.00 900.00
31.	Poultry and yardman	660.00 660.00
32.	Seamstress, head	570.00 570.00

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		For the Years Ending	
		August 31, 1938	August 31, 1939
33.	Seamstresses, none exceeding \$35 per month.....	840.00	840.00
34.	Storekeeper-accountant, with housing, board and laundry for self and family.....	1,200.00	1,200.00
35.	School principal	1,100.00	1,100.00
36.	Teachers, five, none exceeding \$80 per month.....	4,000.00	4,000.00
38.	Teacher of manual training	900.00	900.00
39.	Teacher of piano	810.00	810.00
41.	Watchman, night	666.00	666.00
42.	Salary contingent	540.00	540.00
42a.	Salaries if new building granted.....		600.00
Total Salaries		\$ 37,354.00	\$ 37,954.00
Maintenance and Miscellaneous:			
43.	Support and maintenance	\$ 80,300.00	\$ 80,300.00
43a.	Support and maintenance for new building.....		5,000.00
45.	Truck		600.00
47.	Dairy Stock	500.00	
56.	Travel expenses	200.00	200.00
Total maintenance and miscellaneous		\$ 81,000.00	\$ 86,100.00
Improvements, Repairs and Buildings:			
57.	General repairs and improvement	\$ 4,000.00	\$ 4,000.00
58.	Bath, plumbing repairs and lavatory equipment	1,000.00	1,000.00
65.	Improvements to roads and grounds	300.00	300.00
66.	Enlarge dairy barn and build maternity barn.....	1,000.00	
68.	Boiler meters and feed pumps	2,000.00	
70.	Enlarge store building-sewing room	10,000.00	
73.	Recreation Hall and equipment		15,000.00
74.	Dormitory and equipment		47,500.00
75.	Houses for engineer and employees		3,200.00
Total improvements, repairs, and buildings.....		\$ 18,300.00	\$ 71,000.00
Grand Totals		\$136,654.00	\$195,054.00

STATE HOSPITAL FOR CRIPPLED AND DEFORMED CHILDREN GALVESTON

Salaries:			
2.	Supervising nurse	\$ 1,200.00	\$ 1,200.00
3.	Graduate nurses, none exceeding \$900 per year	7,200.00	7,200.00
4.	School teachers, 11 months, none exceeding \$85 per month	1,815.00	1,815.00
5.	Brace maker	1,380.00	1,380.00
6.	Dietitian, graduate	1,080.00	1,080.00
7.	Cook	480.00	480.00
Total Salaries		\$ 13,155.00	\$ 13,155.00

	For the Years Ending August 31, August 31, 1938 1939	
Maintenance, Miscellaneous and Improvements:		
8. Support and maintenance	\$ 66,500.00	\$ 66,500.00
Total maintenance, miscellaneous and im- provements	\$ 66,500.00	\$ 66,500.00
Grand Totals	\$ 79,655.00	\$ 79,655.00

STATE JUVENILE TRAINING SCHOOL, GATESVILLE

Salaries (Twelve Months):

2. Superintendent, with provisions for self and family, not to exceed in value \$500 per annum; with fuel, lights, water, laundry and housing....	\$ 2,700.00	\$ 2,700.00
3. Assistant superintendent, with board, housing and laundry for self and family	1,620.00	1,620.00
4. Commandant	1,500.00	1,500.00
5. Chaplain	1,200.00	1,200.00
6. Dentist, part-time	810.00	810.00
7. Engineer	1,335.00	1,335.00
8. Engineers, assistant, none exceeding \$948 per year	1,548.00	1,548.00
9. Field instructors, basis \$67.50 per month, none to exceed \$77 per month, except one at \$83.....	11,342.00	11,342.00
10. Matrons, basis \$39.11, none to exceed \$45 per month	4,224.00	4,224.00
11. Night watchmen, none to exceed \$60 per month	7,200.00	7,200.00
12. Pharmacist-nurse	1,120.00	1,120.00
13. Nurse	900.00	900.00
14. Physician, part-time	1,335.00	1,335.00
15. Social service worker and probation officer....	1,320.00	1,320.00
16. Parole Clerk	720.00	720.00
17. Storekeeper and accountant, with board and laundry for self and family	1,500.00	1,500.00
19. Teachers—trades, none to exceed \$67.50 per month except three not exceeding \$83, and one at \$90	15,714.00	15,714.00
20. Barn foreman and dog sergeant	1,000.00	1,000.00
21. Commandants, assistants, none to exceed \$72 per month	1,584.00	1,584.00
22. Gardner	780.00	780.00
23. Stenographer	660.00	660.00
24. Stenographer, assistant	900.00	900.00
25. Superintendent, buildings	810.00	810.00
26. Superintendents, grounds	1,380.00	1,380.00
27. Supervisor of colored boys	1,020.00	1,020.00
28. Steward	780.00	780.00
Total Salaries	\$ 65,002.00	\$ 65,002.00

	For the Years Ending	
	August 31, 1938	August 31, 1939
Maintenance and Miscellaneous:		
30. Support and maintenance	\$115,000.00	\$115,000.00
31. Discharge and transportation	5,000.00	5,000.00
	<hr/>	<hr/>
Total Maintenance and Miscellaneous	\$120,000.00	\$120,000.00
Improvements, Repairs and Buildings:		
35. General repairs and improvements	\$ 8,000.00	\$ 8,000.00
39. Renovate and fireproof old three-story dormi- tory	18,000.00	<hr/>
40a. Addition to sewer plant and lines	<hr/>	5,500.00
41. Farm machinery and mules	<hr/>	1,500.00
41a. Electric wiring distribution	2,000.00	<hr/>
41b. Drinking fountain, installed	200.00	<hr/>
	<hr/>	<hr/>
Total improvements, repairs and buildings...	\$ 28,200.00	\$ 15,000.00
	<hr/>	<hr/>
Grand Totals	\$213,202.00	\$200,002.00

STATE ORPHANS HOME, CORSICANA

Salaries: (Teachers ten months unless other-
wise noted; other employees 12 months)

2. Superintendent, with provisions for self and family, not to exceed in value \$500 per year; also fuel, lights, laundry, water and housing...	\$ 2,350.00	\$ 2,350.00
4. Social worker, also serves Home for Dependent and Neglected Children at Waco, to be ap- pointed by Board of Control	1,200.00	1,200.00
6. Storekeeper-accountant, with board and laun- dry for self and family	1,500.00	1,500.00
7. Storekeeper, assistant	840.00	840.00
8. Boys' director	1,350.00	1,350.00
9. Dean of girls	900.00	900.00
11. Secretary	780.00	780.00
13. Stenographer-assistant matron	552.00	552.00
14. Physician-surgeon, part-time	1,080.00	1,080.00
15. Specialist, ear, eye, nose, throat, part-time...	540.00	540.00
16. Dentist, part-time	792.00	792.00
17. Head nurse, registered	1,200.00	1,200.00
19. Nurse-technician, registered	900.00	900.00
21. Hospital matron-cook	490.00	490.00
22. Band director	1,080.00	1,080.00
26. Teachers, basis \$77, Grammar schools, none exceeding \$82.50 per month	3,850.00	3,850.00
33. Teachers, high school, basis \$82, none exceed- ing \$85 per month	4,100.00	4,100.00
34. Teacher, high school principal (12 months)....	1,620.00	1,620.00
35. Teacher, manual training (12 months), part salary	990.00	990.00

	For the Years Ending	
	August 31, 1938	August 31, 1939
36. Teacher, mechanical engineering, with house, water, lights, and fuel (12 months)	1,320.00	1,320.00
37. Teacher, music supervisor	900.00	900.00
38. Teacher, music	770.00	770.00
39. Teacher, vocational agriculture (12 months) part salary	750.00	750.00
41. Chaplain and teacher	900.00	900.00
42. Dietitian, graduate	1,320.00	1,320.00
43. Baker	720.00	720.00
44. Butcher poultryman, with house, water, lights and fuel	600.00	600.00
45. Cook, chief, with house, water, lights and fuel	780.00	780.00
46. Cooks, four, basis \$40.00, none exceeding \$45 per month	1,920.00	1,920.00
47. Cook, superintendent's home	372.00	372.00
48. Barber	570.00	570.00
49. Barber's assistant	492.00	492.00
50. Campus caretaker-florist	672.00	672.00
51. Carpenter	780.00	780.00
53. Custodian Barnet Hall and bus driver	672.00	672.00
54. Custodian (man with wife) for Swann Hall (small boys)	570.00	570.00
55. Dairyman	870.00	870.00
56. Engineer, chief, with house, water, lights, and fuel	1,335.00	1,335.00
57. Firemen, two	1,200.00	1,200.00
58. Farm foreman	780.00	780.00
59. Gardner	660.00	660.00
60. Laundry foreman-instructor	780.00	780.00
61. Laundresses, none exceeding \$36 per month	1,728.00	1,728.00
63. Matron, head	900.00	900.00
64. Matrons, fourteen, none exceeding \$44 per month	7,392.00	7,392.00
65. Matrons, none exceeding \$40 per month	1,872.00	1,872.00
67. Matron-hostess, teachers' dormitory	600.00	600.00
68. Night watchman	666.00	666.00
69. Plasterer-brick mason	720.00	720.00
70. Plumber, with house and lights	672.00	672.00
71. Seamstresses, none exceeding \$37 per month	1,296.00	1,296.00
72. Shoe-harness repairer	672.00	672.00
Total Salaries	\$ 62,365.00	\$ 62,365.00
Maintenance and Miscellaneous:		
74. Support and maintenance	\$155,000.00	\$155,000.00
86. Travel expenses	700.00	700.00
Total Maintenance and Miscellaneous	\$155,700.00	\$155,700.00

	For the Years Ending	
	August 31, 1938	August 31, 1939
Improvements, Repairs and Buildings:		
87. General repairs	\$ 9,500.00	\$ 9,500.00
88. Acoustical material for dining room	4,000.00	.....
92. Cottage and furniture (for boys) .....	.....	12,500.00
93. Recreation Hall and equipment (fireproof type)	24,000.00	.....
96. Sidewalks and paving	2,250.00	.....
	<hr/>	<hr/>
Total improvements, repairs and buildings....	\$ 39,750.00	\$ 22,000.00
	<hr/>	<hr/>
Grand Totals	\$257,815.00	\$240,065.00

RUSK STATE HOSPITAL

Salaries:

2. Superintendent with provisions for self and family, not to exceed in value \$500.00 per annum; also water, light, heat, laundry and housing	\$ 3,250.00	\$ 3,250.00
3. Assistant superintendent and physician with board and laundry for self and family	2,750.00	2,750.00
4. Physicians, with board and laundry for selves and families, none exceeding \$2,400.00 per year	14,400.00	14,400.00
5. Attendants, basis \$45, none exceeding \$55, except five at not to exceed \$57 per month	93,960.00	93,960.00
6. Baker	810.00	810.00
7. Baker, assistant	492.00	492.00
8. Barbers, three, none exceeding \$45 per month	1,620.00	1,620.00
9. Blacksmith	666.00	666.00
10. Butcher	624.00	624.00
11. Chief cook	810.00	810.00
12. Cooks, basis \$40, none exceeding \$45 per month	9,600.00	9,600.00
13. Carpenters, two, none exceeding \$67.50 per month	1,560.00	1,560.00
14. Chaplain	400.00	400.00
15. Creamery and milk man	492.00	492.00
17. Dairyman	960.00	960.00
18. Dairyman, assistants, with house, water and lights	1,080.00	1,080.00
19. Dietitian	1,320.00	1,320.00
20. Dentist, with board and laundry for self and family	1,800.00	1,800.00
21. Dining room girls, none to exceed \$34 per month	5,712.00	5,712.00
22. Engineer, chief, with house, water, lights	1,335.00	1,335.00
23. Engineer, night	924.00	924.00
24. Engineer, assistants	1,670.00	1,670.00
25. Engineer, assistant and plumber	682.00	682.00
26. Firemen, three, none to exceed \$50 per month	1,800.00	1,800.00

	For the Years Ending	
	August 31, 1938	August 31, 1939
27. Farm hands, five, none to exceed \$40 per month	2,340.00	2,340.00
28. Farmer, head	810.00	810.00
29. Gardner, and assistant, two, none exceeding \$62 per month	1,200.00	1,200.00
30. Ice man	570.00	570.00
31. Laundry engineer	666.00	666.00
32. Laundryman, head	810.00	810.00
34. Laundresses, none exceeding \$37 per month...	5,945.00	5,945.00
35. Hall men, two	960.00	960.00
36. Matron	666.00	666.00
37. Mattress makers, two	1,200.00	1,200.00
38. Nurse, superintendent, registered	1,200.00	1,200.00
39. Nurses, graduate, none exceeding \$75 per month	3,600.00	3,600.00
40. Nurses, for tuberculars, none exceeding \$600.00 per year	3,600.00	3,600.00
41. Nightwatchmen, two at \$53 per month.....	1,272.00	1,272.00
42. Occupational therapy director	1,050.00	1,050.00
43. Occupational therapy teachers, two, none exceeding \$66 per month	1,530.00	1,530.00
44. Poultryman	624.00	624.00
46. Painter	672.00	672.00
47. Plasterer	672.00	672.00
48. Pharmacist	1,080.00	1,080.00
49. Plumber and assistant, none exceeding \$780.00 per year	1,380.00	1,380.00
50. Seamstresses, six, none exceeding \$35 per month	2,520.00	2,520.00
51. Storekeeper-accountant, with board and laundry for self and family	1,500.00	1,500.00
52. Storekeeper-accountant, assistants, two, none exceeding \$75 per month	1,575.00	1,575.00
53. Secretary	1,050.00	1,050.00
54. Stenographers, none exceeding \$55 per month..	1,260.00	1,260.00
55. Supervisor	810.00	810.00
56. Supervisor, assistant	672.00	672.00
57. Supervisoress	810.00	810.00
58. Supervisoress, assistant	672.00	672.00
59. Supervisor, night	700.00	700.00
60. Supervisoress, night	700.00	700.00
61. Shoemakers, none exceeding \$720.00 per year..	1,335.00	1,335.00
62. Social service workers, none exceeding \$1,200.00 per year	2,100.00	2,100.00
63. Technician-pathologist	1,350.00	1,350.00
64. Telephone operator	492.00	492.00
65. Tailor and seamstress	666.00	666.00
66. Truck driver	552.00	552.00

	For the Years Ending August 31, August 31,	
	1938	1939
67. X-ray assistant and hydrotherapist	900.00	900.00
68. Yardman and florist	552.00	552.00
69. Salaries, additional, if new buildings granted..	6,816.00	10,662.00
Total Salaries	\$207,596.00	\$211,442.00
Maintenance and Miscellaneous:		
70. Support and maintenance	\$288,000.00	\$288,000.00
71. Support and maintenance, additional if new building granted	19,000.00	38,500.00
73. Individual treatment fund	1,000.00	1,000.00
74. Travel expenses, superintendent	200.00	200.00
76. Buttermilk machine, milk pasteurizer and cooler		3,000.00
Total Maintenance and Miscellaneous	\$308,200.00	\$330,700.00
Improvements, Repairs and Buildings:		
77. General repairs and improvements	\$ 12,000.00	\$ 12,000.00
77a. Bath and sanitary betterments	5,000.00	
79. Ward building and equipment	115,000.00	
79a. Psychopathic building and equipment	127,000.00	
83. Addition to ice plant and equipment	17,000.00	
84a. Laundry washer, presses and equipment.....	7,250.00	
85. Electric wiring distribution	3,500.00	
86. Settling basin and waterworks	5,500.00	
90. Renovating part of old Main Building, and new chapel—recreation hall	120,000.00	
91. Equipment, furniture and fixtures for recrea- tion hall	5,000.00	
Total improvements, repairs and buildings....	\$417,250.00	\$ 12,000.00
Grand Totals	\$933,046.00	\$554,142.00

SAN ANTONIO STATE HOSPITAL

Salaries: (Twelve months unless otherwise specified)

2. Superintendent, with provisions for self and family, not to exceed in value \$500 per year; also water, lights, fuel, laundry and housing....	\$3,250.00	\$ 3,250.00
3. Assistant superintendent and physician with board and laundry for self and family	2,750.00	2,750.00
4. Physicians, with board and laundry for selves and family, none exceeding \$2,400 per year....	21,600.00	21,600.00
5. Attendants, basis \$45 per month, none exceeding \$55, except seven at not exceeding \$57 per month	112,320.00	112,320.00
6. Baker	810.00	810.00

		For the Years Ending	
		August 31, 1938	August 31, 1939
7.	Baker, assistant	492.00	492.00
8.	Barbers, none exceeding \$47.50 per month....	2,220.00	2,220.00
9.	Blacksmith	666.00	666.00
10.	Butcher and creamery man	624.00	624.00
11.	Butcher	552.00	552.00
12.	Carpenters, none exceeding \$67.50 per month..	1,560.00	1,560.00
13.	Chaplain	400.00	400.00
14.	Chief cook	810.00	810.00
16.	Cooks, basis \$40 per month, none exceeding \$45 per month	9,600.00	9,600.00
17.	Cooks, tubercular hospital, two, none exceed- ing \$45 per month	1,050.00	1,050.00
18.	Dairyman	960.00	960.00
19.	Dairyman, assistant	552.00	552.00
20.	Dentist, with board and laundry for self and family	1,800.00	1,800.00
21.	Dietitian	1,320.00	1,320.00
22.	Dining room girls, none exceeding \$34 per month	13,867.00	13,867.00
23.	Engineer, chief	1,350.00	1,350.00
24.	Engineer, assistant	924.00	924.00
25.	Engineers, assistants, none exceeding \$780.00 per year	2,310.00	2,310.00
26.	Engineer, ice and laundry	672.00	672.00
27.	Farm superintendent	924.00	924.00
28.	Farm hands, none exceeding \$42.50 per per month	1,632.00	1,632.00
30.	Firemen, three, none exceeding \$50 per month	1,800.00	1,800.00
32.	General maintenance man	960.00	960.00
33.	Hall boy	480.00	480.00
34.	Head laundress	810.00	810.00
35.	Laundress, assistant	540.00	540.00
37.	Laundresses, basis \$37, none exceeding \$40 per month	10,212.00	10,212.00
38.	Laboratory and X-ray assistant	672.00	672.00
39.	Librarian	562.00	562.00
40.	Matron	666.00	666.00
41.	Mattress maker	600.00	600.00
42.	Nightwatchman, at \$54 per month	1,272.00	1,272.00
43.	Nurse, superintendent of school	1,200.00	1,200.00
44.	Nurses, registered, none exceeding \$75 per month	8,820.00	8,820.00
45.	Occupational therapy director	1,050.00	1,050.00
46.	Occupational therapy teachers, none ex- ceeding \$60 per month	4,320.00	4,320.00
47.	Painters, two	1,320.00	1,320.00
48.	Parkman and florist	666.00	666.00
49.	Pharmacist	1,080.00	1,080.00

		For the Years Ending	
		August 31, 1938	August 31, 1939
50.	Plasterer	672.00	672.00
51.	Plumber	720.00	720.00
52.	Roentgenologist and technician	1,560.00	1,560.00
53.	Seamstresses, none exceeding \$37 per month	3,666.00	3,666.00
54.	Secretary	1,050.00	1,050.00
55.	Shoemaker	810.00	810.00
56.	Social service director	1,200.00	1,200.00
57.	Social service workers, two, none exceeding \$75 per month	1,800.00	1,800.00
59.	Stenographers, one for psychiatric work, none exceeding \$65 per month	2,220.00	2,220.00
60.	Storekeeper and accountant, with board and laundry for self and family	1,500.00	1,500.00
61.	Storekeeper and accountant, assistants, none exceeding \$75 per month	2,280.00	2,280.00
62.	Supervisors, two, one at \$67.50 per month	1,482.00	1,482.00
63.	Supervisoresses, two, one at \$67.50 per month	1,482.00	1,482.00
64.	Supervisor, night	700.00	700.00
65.	Supervisoresses, night	700.00	700.00
66.	Tailor and seamstress	652.00	652.00
67.	Telephone operators, none exceeding \$40 per month	1,380.00	1,380.00
68.	Truck driver and mechanic	576.00	576.00
70.	Additional salaries for new building	3,408.00	5,331.00
Total Salaries		\$249,903.00	\$251,826.00
Maintenance and Miscellaneous:			
73.	Support and maintenance	\$345,000.00	\$345,000.00
74.	Additional support and maintenance for new building	10,000.00	20,000.00
75.	Travel expenses of superintendent	250.00	250.00
76.	Travel expenses of social service workers	500.00	500.00
77.	Individual treatment fund	2,000.00	2,000.00
Total Maintenance and Miscellaneous ..		\$357,750.00	\$367,750.00
Improvements, Repairs and Buildings:			
78.	General repairs and improvements	\$ 15,000.00	\$ 15,000.00
78a.	Heating system, piping, fittings	6,800.00	-----
79.	Road, fences and grounds	1,000.00	1,000.00
80.	Floors to replace old ones on wards	9,000.00	-----
82.	Laundry machinery	5,000.00	-----
82a.	Electric wiring distribution	4,000.00	-----
83.	Ward building and equipment	115,000.00	-----
85a.	Bath and sanitary betterments	15,000.00	-----
90.	Two barns and sheds	4,000.00	-----

	For the Years Ending	
	August 31, 1938	August 31, 1939
93. Blacksmith shop and implement sheds	1,650.00	-----
Total improvements, repairs and build- ings	\$176,450.00	\$ 16,000.00
Grand Totals	\$784,103.00	\$635,576.00

TERRELL STATE HOSPITAL

Salaries:

2. Superintendent, with provisions for self and family, not to exceed in value \$500 per year; also water, lights, fuel, laun- dry, and housing	\$ 3,250.00	\$ 3,250.00
3. Assistant superintendent and physician with room, board and laundry for self and family	2,750.00	2,750.00
4. Physicians, with room, board and laundry for selves and families, none exceeding \$2,400.00 per year	14,400.00	14,400.00
5. Attendants, basis \$45 per month, none to exceed \$55 except seven at not exceed- ing \$57 per month	101,520.00	101,520.00
6. Baker	810.00	810.00
7. Bakers, two, none exceeding \$475.00 per year	950.00	950.00
8. Barbers, none exceeding \$570.00 per year	1,710.00	1,710.00
9. Barberess	534.00	534.00
10. Blacksmith	666.00	666.00
11. Butcher	642.00	642.00
12. Carpenter	810.00	810.00
13. Carpenter, assistant.....	666.00	666.00
14. Chaplain	400.00	400.00
15. Cook, chief.....	810.00	810.00
17. Cooks, basis \$40 per month, none ex- ceeding \$45 per month.....	10,080.00	10,080.00
18a. Dairyman, chief.....	960.00	960.00
19. Dentist, with board and laundry, for self and family	1,800.00	1,800.00
20. Dietitian	1,320.00	1,320.00
21. Pharmacist	1,080.00	1,080.00
22. Dining room girls, none exceeding \$34 per month	6,108.00	6,108.00
24. Dairyman, two	1,140.00	1,140.00
25. Engineer, chief.....	1,365.00	1,365.00
26. Engineer-electrician	924.00	924.00
27. Engineer, night.....	924.00	924.00
28. Engineer, ice plant.....	666.00	666.00
29. Engineer, laundry	636.00	636.00

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	For the Years Ending	
	August 31, 1938	August 31, 1939
29a. Farmer, head	810.00	810.00
30. Farm hands, none exceeding \$42.50 per month	954.00	954.00
31. Firemen, none to exceed \$50 per month..	1,800.00	1,800.00
32. Gardener	720.00	720.00
33. Hall and mail man	480.00	480.00
34. Hall and telephone girls, two	960.00	960.00
34a. Laboratory technician	660.00	660.00
35. Laundress, head	810.00	810.00
36. Laundress, assistant head	575.00	575.00
37. Laundresses, basis \$37, none exceeding \$40 per month	9,816.00	9,816.00
38. Matron	666.00	666.00
39. Mattress maker	600.00	600.00
40. Nurse, head, registered	1,200.00	1,200.00
41. Nurses, trained, none exceeding \$60 per month, except three must be registered at \$75.00 per month	4,140.00	4,140.00
42. Watchmen, none to exceed \$54 per month	1,296.00	1,296.00
43. Operator filtration plant	672.00	672.00
44. Painter	672.00	672.00
45. Painter, assistant	570.00	570.00
46. Plasterer	666.00	666.00
47. Telephone-elevator operators, none exceeding \$39 per month	936.00	936.00
48. Plumber	720.00	720.00
50. Roentgenologist-dentist, assistant	1,000.00	1,000.00
51. Steam fitter	720.00	720.00
52. Storekeeper-accountant, with board and laundry for self and family	1,500.00	1,500.00
53. Storekeeper-accountant, assistant	900.00	900.00
54. Stenographer-clerks, two	1,344.00	1,344.00
55. Social service director and worker, one at \$1,200.00	2,100.00	2,100.00
56. Secretary	1,050.00	1,050.00
57. Supervisors, one at \$810.00 per year	1,482.00	1,482.00
58. Supervisors, one at \$810 per year	1,482.00	1,482.00
59. Supervisor, night	700.00	700.00
60. Supervisoress, night	700.00	700.00
62. Seamstress, none to exceed \$37 per month	3,024.00	3,024.00
63. Shoemaker	780.00	780.00
64. Cartman	456.00	456.00
65. Tailoress and seamstress	666.00	666.00
66. Teachers, occupational therapy, none exceeding \$85 per month	2,460.00	2,460.00
67. Yardmen, two	1,060.00	1,060.00

		For the Years Ending August 31, August 31,	
		1938	1939
68.	Additional salaries for new building.....	3,408.00	5,331.00
	Total Salaries	\$211,476.00	\$213,399.00
	Maintenance and Miscellaneous:		
69.	Support and maintenance.....	\$355,000.00	\$355,000.00
70.	Support and maintenance, additional if new buildings granted.....	10,000.00	20,000.00
71.	Transportation	200.00	200.00
72.	Travel expense of superintendent.....	250.00	250.00
73.	Individual treatment fund.....	2,000.00	2,000.00
	Total maintenance and miscellaneous....	\$367,450.00	\$377,450.00
	Improvements, Repairs and Buildings:		
74.	General repairs and improvements.....	\$ 23,000.00	\$ 23,000.00
74a.	Bath and sanitary betterments.....	10,000.00	-----
77.	Psychopathic ward building and equip- ment	127,000.00	-----
81.	Enlarge laundry building.....	7,000.00	-----
82.	500 h.p. boiler, furnace and equipment....	19,000.00	-----
84.	Electric wiring and distribution.....	3,000.00	-----
85.	Water well and pump.....	3,800.00	-----
87.	House for engineer.....	-----	2,500.00
	Total improvements, repairs, and build- ings	\$192,800.00	\$ 25,500.00
	Grand Totals	\$771,726.00	\$616,349.00

STATE TUBERCULOSIS SANATORIUM
SANATORIUM, TEXAS

Salaries: (All physicians to receive board, room and laundry for selves and families)		
2.	Superintendent, with provisions for self and family, not to exceed in value \$500.00 per year; also water, lights, fuel, laundry and housing	\$ 3,250.00 \$ 3,250.00
3.	Assistant superintendent and physician	2,750.00 2,750.00
4.	Physician for children's hospital	2,400.00 2,400.00
5.	Physicians, none exceeding \$2,400 per year	16,800.00 16,800.00
6.	Chaplain	400.00 400.00
7.	Dentist, part-time	360.00 360.00
8.	Pharmacist	1,080.00 1,080.00
9.	Laboratory and X-ray technician	1,410.00 1,410.00
10.	Laboratory assistants, none to exceed \$55	1,872.00 1,872.00
11.	Librarian	324.00 324.00

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		For the Years Ending	
		August 31, 1938	August 31, 1939
12.	Seamstress	600.00	600.00
13.	Seamstress	360.00	360.00
14.	Seamstress, child's building	324.00	324.00
15.	Secretary	1,000.00	1,000.00
16.	Assistant record keeper	570.00	570.00
17.	Information clerk	566.00	566.00
18.	Telephone operators, none exceeding \$40 per month	1,380.00	1,380.00
19.	Storekeeper and accountant, with board, room and laundry for self and family	1,500.00	1,500.00
20.	Assistant accountant	780.00	780.00
21.	Assistant storekeeper	900.00	900.00
22.	Storeroom helper and stenographer	666.00	666.00
23.	Meat cutter	810.00	810.00
24.	Delivery boy for storeroom and butcher shop	420.00	420.00
25.	Chief engineer	1,365.00	1,365.00
26.	Assistant engineer and electrician	968.00	968.00
27.	Electrician	624.00	624.00
28.	Plumber	720.00	720.00
29.	Sewer and waterworks operator	652.00	652.00
30.	Ice plant engineers, none exceeding \$52.50	1,260.00	1,260.00
31.	Firemen, three, none exceeding \$50 per month	1,800.00	1,800.00
33.	Superintendent of nurses	1,200.00	1,200.00
34.	Graduate nurses, basis \$60 per month, none exceeding \$70 per month	15,840.00	15,840.00
35.	Student nurses, basis of \$20, none exceeding \$22 per month	13,680.00	13,680.00
36.	Cleaners and sweepers, at \$20 per month	3,840.00	3,840.00
37.	Housekeepers, none exceeding \$27 per month	2,448.00	2,448.00
38.	Picture show operator	432.00	432.00
39.	Dairyman	960.00	960.00
40.	Dairy assistants, basis \$45 per month, none exceeding \$50	3,180.00	3,180.00
41.	Laundry foreman	1,020.00	1,020.00
42.	Marker and sorter	666.00	666.00
43.	Washroom man	624.00	624.00
44.	Laundresses, basis \$35, none exceeding \$39 per month	10,500.00	10,500.00
45.	Outside supervisor	720.00	720.00
46.	Laborer-farm hands, basis \$40 per month, none exceeding \$42.50	2,970.00	2,970.00
47.	Yardman, two	1,080.00	1,080.00
48.	Chauffeur-bus driver	420.00	420.00

		For the Years Ending	
		August 31, 1938	August 31, 1939
49.	Truck driver	548.00	548.00
50.	Gardeners, two, one with house, one at \$60 and one at \$40 per month	1,200.00	1,200.00
51.	Night watchman	666.00	666.00
52.	Painter	672.00	672.00
53.	Poultryman	780.00	780.00
54.	Carpenter	780.00	780.00
55.	Dietitian	1,320.00	1,320.00
56.	Assistant dietitian	600.00	600.00
57.	Matron	666.00	666.00
58.	Baker	870.00	870.00
59.	Assistant baker	420.00	420.00
60.	Chief cook	960.00	960.00
61.	Cooks, basis \$47 per month, none exceeding \$60 per month	10,152.00	10,152.00
62.	Waitresses and dish washers, basis \$31, none exceeding \$34	18,276.00	18,276.00
63.	Potwashers, two, none exceeding \$35 per month	780.00	780.00
66.	Additional salaries for new building granted		3,930.00
Total Salaries		\$146,181.00	\$150,111.00
Maintenance and Miscellaneous:			
67.	Support and maintenance	\$298,000.00	\$298,000.00
67a.	Support and maintenance, additional if new buildings granted		12,000.00
68.	Travel expenses	200.00	200.00
69.	Books, films, and amusements	2,100.00	2,100.00
70.	Division of correspondence and information	12,500.00	12,500.00
71.	Farm implements, teams and seeds	300.00	300.00
72.	Improvements, yards and grounds	250.00	250.00
73.	X-ray and laboratory supplies	1,200.00	1,200.00
Total maintenance and miscellaneous		\$314,550.00	\$326,550.00
Improvements, Repairs and Buildings:			
74.	General repairs and improvements	\$ 9,500.00	\$ 9,500.00
76.	Building and equipment, including utility connections and tunnels		110,000.00
78a.	Electric wiring distribution	5,000.00	
83.	Improvement telephone system, including switchboard	1,400.00	
85.	Well and improvement of water supply	12,000.00	
85a.	Enlarge filter plant and basin	6,500.00	
87.	Additional to, removal, or new baker shop with equipment	7,750.00	
88.	Quarters for employes and equipment	47,500.00	

HOUSE JOURNAL

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	For the Years Ending August 31, August 31, 1938 1939	
89. Enlarging kitchen and dining room at children's hospital, including extra bed capacity over present dining room.....	-----	25,000.00
90. Extra sheds and feed rooms for present dairy barn.....	2,000.00	-----
91. Street paving	4,500.00	-----
Total improvements, repairs and buildings	\$ 96,150.00	\$144,500.00
Grand Totals	\$556,881.00	\$621,161.00

KERRVILLE STATE SANATORIUM, KERRVILLE

Salaries:

1. Superintendent-medical director, with provisions for self and family not to exceed in value \$500 per annum; also water, lights, fuel, laundry and housing	\$ 2,700.00	\$ 2,700.00
2. Assistant superintendent and physician, with board and laundry for self and family	2,100.00	2,100.00
3. Pharmacist, laboratory and X-ray technician	960.00	960.00
4. Seamstress	360.00	360.00
5. Secretary	900.00	900.00
6. Storekeeper and accountant	1,100.00	1,100.00
7. Storekeeper, assistant	660.00	660.00
8. Engineer, chief	900.00	900.00
9. Nurse, head, graduate	1,020.00	1,020.00
10. Nurses, graduate, at \$60 per month	2,160.00	2,160.00
11. Nurses, basis \$25 per month	1,500.00	1,500.00
12. Janitors, at \$25 per month	600.00	600.00
13. Housekeepers, at \$30 per month	720.00	720.00
14. Dairyman	540.00	540.00
15. Dairy assistant	360.00	360.00
16. Laundry foreman	720.00	720.00
17. Laundresses at \$30 per month	1,080.00	1,080.00
18. Outside supervisor	600.00	600.00
19. Farm hands and laborers at \$30 per month	720.00	720.00
20. Yardman	480.00	480.00
21. Chauffeur-mail carrier	360.00	360.00
22. Gardeners, none exceeding \$40 per month	840.00	840.00
23. Night watchman	420.00	420.00
24. Painter (may be seasonal)	480.00	480.00
25. Carpenter-plumber	630.00	630.00
26. Matron dietitian	1,080.00	1,080.00

		For the Years Ending	
		August 31, 1938	August 31, 1939
27.	Cooks	1,244.00	1,244.00
28.	Waitresses-dishwashers at \$30 per month	2,880.00	2,880.00
	Total Salaries	\$ 28,114.00	\$ 28,114.00
Maintenance and Miscellaneous:			
30.	Support and maintenance	\$ 56,000.00	\$ 70,000.00
32.	Travel expenses	200.00	200.00
33.	Books, films and amusements	1,000.00	1,000.00
	Total Maintenance and Miscellaneous ..	\$ 57,200.00	\$ 71,200.00
Improvements, Repairs, and Buildings:			
34.	General repairs and improvements	\$ 4,500.00	\$ 4,500.00
35.	Store room and employees' quarters	30,000.00	
36.	Water supply improvements		15,000.00
	Total Improvements, Repairs and Build- ings	\$ 34,500.00	\$ 19,500.00
	Grand Totals	\$119,814.00	\$118,814.00

WICHITA FALLS STATE HOSPITAL

Salaries:

2.	Superintendent, with provisions for self and family, not to exceed in value \$500 per annum; also water, light, fuel, laundry and housing	\$ 3,250.00	\$ 3,250.00
3.	Assistant superintendent and physician, with room, board and laundry for self and family	2,750.00	2,750.00
4.	Physicians, with room, board and laundry for selves and families, none exceeding \$2400 per year	16,800.00	19,200.00
6.	Attendants, basis \$45 per month, none to exceed \$55, except five at not exceeding \$57 per month	101,520.00	101,520.00
8.	Baker	810.00	810.00
10.	Barbers, three, none exceeding \$570 per year	1,710.00	1,710.00
11.	Carpenter	810.00	810.00
12.	Carpenter, assistant	666.00	666.00
13.	Chaplain	400.00	400.00
14.	Cooks, basis \$40, none exceeding \$45 per month	10,560.00	10,560.00
14a.	Dairyman, assistant	540.00	540.00
15.	Dentist, with room, board and laundry for self and family	1,800.00	1,800.00
17.	Dietitian	1,320.00	1,320.00

	For the Years Ending August 31, August 31, 1938 1939	
17a. Dining room girls, none exceeding \$34 per month	2,448.00	2,448.00
19. Engineer, chief	1,350.00	1,350.00
20. Engineer, assistant	924.00	924.00
21. Engineer, night	840.00	840.00
22. Engineer, ice plant	654.00	654.00
23. Farm and dairy manager	1,000.00	1,000.00
24. Farm hands, none exceeding \$41 per month	1,440.00	1,440.00
25. Firemen, three, none exceeding \$50 per month	1,800.00	1,800.00
26. Gardner	720.00	720.00
28. Hall attendant	480.00	480.00
30. Laundress, head	810.00	810.00
31. Laundresses, basis \$37, none to exceed \$40 per month	8,100.00	8,100.00
32. Matron	666.00	666.00
33. Mattress maker	624.00	624.00
34. Meat cutter	624.00	624.00
35. Night watchmen, two at \$650	1,272.00	1,272.00
36. Nurse, head, registered	1,200.00	1,200.00
37. Nurses, graduate, none exceeding \$75.00 per month	5,620.00	5,620.00
39. Nurses, tuberculosis hospital, none exceeding \$50 per month	1,200.00	1,200.00
40. Painter and plasterer	672.00	672.00
41. Pharmacist	1,080.00	1,080.00
42. Physiotherapist	924.00	924.00
43. Plumber	720.00	720.00
44. Roentgenologist and technician	1,425.00	1,425.00
45. Seamstress, head	642.00	642.00
46. Seamstresses, none exceeding \$37 per month	2,700.00	2,700.00
47. Secretary	1,050.00	1,050.00
47a. Stenographers	1,320.00	1,320.00
48. Shoemaker	720.00	720.00
49. Special service workers, one at \$1,200....	2,150.00	2,150.00
50. Storekeeper-accountant, with board, room and laundry for self and family	1,500.00	1,500.00
51. Storekeeper-accountant, assistants, none exceeding \$900.00 per year	1,560.00	1,560.00
52. Storeroom clerk and stenographer	666.00	666.00
53. Supervisor, day	810.00	810.00
54. Supervisor, day, assistant	672.00	672.00
55. Supervisor, night	700.00	700.00
56. Supervisoress, day	810.00	810.00
57. Supervisoress, day, assistant	672.00	672.00
58. Supervisoress, night	700.00	700.00

		For the Years Ending	
		August 31, 1938	August 31, 1939
59.	Teachers, occupational therapy, one at \$85, no others exceeding \$75.....	3,420.00	3,420.00
60.	Telephone operator and file clerk.....	666.00	666.00
61.	Truck driver	572.00	572.00
62.	Yardman and florist.....	648.00	648.00
64.	Additional salaries if new building granted		3,408.00
	Total salaries	\$201,507.00	\$207,315.00
Maintenance and Miscellaneous:			
65.	Support and maintenance.....	\$315,000.00	\$315,000.00
65a.	Support and maintenance additional for new building		10,000.00
66.	Individual treatment fund.....	2,000.00	2,000.00
67.	Transportation of patients.....	750.00	750.00
68.	Traveling expenses of superintendent.....	250.00	250.00
	Total maintenance and miscellaneous....	\$318,000.00	\$328,000.00
Improvements, Repairs and Buildings:			
70.	Bakery, meatshop, refrigerator rooms, occupational therapy department, chapel, storeroom and equipment.....	\$ 95,000.00	
74.	Enlarge water system and filter.....	7,500.00	
76.	General repairs and improvements.....	12,000.00	12,000.00
76a.	Bath and sanitary betterments.....	2,500.00	
77.	Hay and stock barns, three, and sheds.....		3,500.00
78.	Hot water system including softener.....	9,000.00	
80.	Laundry equipment (two washers, four presses)	7,600.00	
83a.	Converting old chapel-occupational therapy building into employees' dormitory, and equipment	22,500.00	
84.	Rebuild electric distribution system.....		5,000.00
86.	Ward building equipment (males).....		125,000.00
87.	Houses for physicians and engineer.....		6,000.00
	Total improvements, repairs and buildings	\$156,100.00	\$151,500.00
	Grand Totals, Wichita Falls State Hospital	\$675,607.00	\$686,815.00

TEXAS SCHOOL FOR THE BLIND

Salaries: (Nine months unless otherwise specified)

2.	Superintendent, with provisions for self and family, not to exceed in value \$500 per annum; also fuel water, light, heat, laundry, housing (12 months).....	\$ 2,700.00	\$ 2,700.00
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	For the Years Ending August 31, August 31,	
	1938	1939
3. Secretary, one meal (12 months).....	1,230.00	1,230.00
4. Storekeeper-accountant, with light, water, fuel, laundry, one meal, housing (12 months)	1,410.00	1,410.00
5. Assistant storekeeper, with board and laundry (12 months)	840.00	840.00
6. Principal of school (10 months) with housing, water, light, and fuel for 12 months	1,700.00	1,700.00
7. Principal of kindergarten.....	1,170.00	1,170.00
8. Kindergarten assistant	825.00	825.00
9. Director of domestic arts.....	1,110.00	1,110.00
10. Assistant, domestic arts.....	720.00	720.00
11. Teachers, three, high school, none ex- ceeding \$125 per month.....	3,375.00	3,375.00
12. Director of music.....	1,350.00	1,350.00
13. Teachers of music; six, none exceeding \$112 per month.....	5,992.00	5,992.00
14. Teacher of orchestra.....	1,090.00	1,090.00
15. Teacher of piano and music reader (part time)	675.00	675.00
16. Physical director for boys	1,045.00	1,045.00
17. Physical director for girls	1,045.00	1,045.00
18. Teachers, seven, none exceeding \$112 per month	6,996.00	6,996.00
19. Teacher ungraded room	1,125.00	1,125.00
20. Director of shop	1,170.00	1,170.00
22. Assistant director of shop	875.00	875.00
24. Readers for blind students in college who are graduates of affiliated high schools; provided no student may be allowed more than \$25 per month for readers and that the Board of Control may prescribe payment	1,600.00	1,600.00
25. Carpenter and painter, with board and laundry (12 months)	780.00	780.00
26. Cook, diet with board and laundry	420.00	420.00
27. Cooks, two, with board and laundry (12 months) (one for superintendent at \$372)	852.00	852.00
28. Engineer-electrician-plumber, with board, water, lights, fuel, housing and laundry (12 months)	1,140.00	1,140.00
29. Engineer, assistant, with board and laun- dry (12 months)	870.00	870.00
30. Engineer, assistant, with board and laun- dry	540.00	540.00
31. Field agent (12 months)	1,200.00	1,200.00

		For the Years Ending August 31, August 31, 1938 1939	
32.	Housekeepers, six, with board and laundry, none exceeding \$39 per month	2,106.00	2,106.00
33.	Housemothers, with board and laundry, none exceeding \$45 per month	2,835.00	2,835.00
34.	Janitors, with board and laundry, none exceeding \$35 per month	630.00	630.00
35.	Laundryman, head, with board and laundry	730.00	730.00
36.	Laundresses, four, with board and laundry, one at \$37 per month, and no others exceeding \$35	1,179.00	1,179.00
37.	Librarian and visitors' guide	700.00	700.00
38.	Laborers, two with board and laundry, twelve months, none exceeding \$40 per month	960.00	960.00
39.	Maids, seven, with board and laundry, none exceeding \$33 per month	2,079.00	2,079.00
40.	Matron-graduate dietitian	990.00	990.00
41.	Nurses, two, one registered, none exceeding \$85 per month	1,335.00	1,335.00
42.	Night watchman, with board and laundry (12 months)	624.00	624.00
43.	Occulist, part-time	1,260.00	1,260.00
44.	Physician, part-time	700.00	700.00
45.	Seamstress, with dinner	520.00	520.00
46.	Seamstress, assistant, with dinner	425.00	425.00
47.	Summer school for adult blind, seasonal	1,200.00	1,200.00
47a.	Chaplain, part-time	450.00	450.00
Total Salaries		\$ 62,568.00	\$ 62,568.00
Maintenance and Miscellaneous:			
49.	Support and maintenance	\$ 50,000.00	\$ 50,000.00
49a.	Scholarship and expenses incident thereto for deaf-blind girl, or may be used locally for her education and care	1,422.00	1,422.00
Total maintenance and Miscellaneous ..		\$ 51,422.00	\$ 51,422.00
Improvements, Repairs and Buildings:			
50.	General repairs and improvements	\$ 3,500.00	\$ 3,500.00
51.	Grounds, fences, culverts, curbs and walks	500.00	500.00
53a.	Laundry machinery (washer, dryer and 2 presses)	3,800.00	1,000.00
Total improvements, repairs and buildings		\$ 7,800.00	\$ 5,000.00
Grand Totals		\$121,790.00	\$118,990.00

TEXAS SCHOOL FOR THE DEAF, AUSTIN

For the Years Ending
August 31, August 31,
1938 1939

Salaries: (Nine months unless otherwise stated)		
2. Superintendent, with provisions not to exceed in value \$500 per annum; also fuel, light, water, laundry and housing for self and family (12 months)	\$ 2,700.00	\$ 2,700.00
3. Aurist, part-time	540.00	540.00
5. Carpenter, with board (12 months)	800.00	800.00
6. Cooks with meals; one for 12 months at \$48 per month; one for superintendent at \$37 for 12 months; others not exceeding \$45 per month	3,093.00	3,093.00
7. Dentist, part-time	540.00	540.00
8. Dietitian, graduate, with board	900.00	900.00
9. Dining room girls, with board; one for 12 months, none exceeding \$34 per per month	4,998.00	4,998.00
10. Engineer, chief, plumber and electrician, with meals, house, water and lights (12 months)	1,140.00	1,140.00
11. Engineer, first assistant, with meals (12 months)	900.00	900.00
12. Engineer, assistant, with meals	400.00	400.00
13. Housekeeper-matron, with board (12 months)	732.00	732.00
14. Janitors, three, with board; one for 12 months, none exceeding \$34 per month	1,000.00	1,000.00
15. Laundry foreman, with board	750.00	750.00
16. Laundry employees, with board, none exceeding \$37 per month	2,753.00	2,753.00
17. Librarian, with one meal	545.00	545.00
18. Maids, three, with board, one for 12 months, none exceeding \$33 per month	990.00	990.00
19. Matron and supervisor, with board (10 months)	825.00	825.00
20. Night watchman, with board (12 months)	654.00	654.00
21. Nurses, with board, one graduate at \$90, another graduate at \$75; others not exceeding \$65 per month	2,610.00	2,610.00
22. Physician, part-time	810.00	810.00
23. Principal of school, academic department (10 months), with house, water and lights for 12 months	1,700.00	1,700.00
24. Principal, industrial department (one meal)	1,500.00	1,500.00

		For the Years Ending August 31, August 31, 1938 1939	
25.	Principal, primary oral school, with board	1,350.00	1,350.00
26.	Seamstress, with one meal	460.00	460.00
27.	Secretary and assistant storekeeper (12 months), with one meal	1,290.00	1,290.00
28.	Stenographer-supervisor, primary oral school, with board	500.00	500.00
29.	Storekeeper-accountant, with house, water, lights, fuel, one meal (12 months)	1,500.00	1,500.00
30.	Supervisor study hall, main building, with board	\$ 245.00	\$ 245.00
32.	Supervisors, with board, one at not exceeding \$78; basis others \$45, no other exceeding \$45 per month	7,587.00	7,587.00
33.	Military instructor, with board	1,100.00	1,100.00
34.	Instructor, carpentry, 11 months (with one meal)	1,450.00	1,450.00
35.	Instructor, painting, 11 months (with one meal)	1,155.00	1,155.00
36.	Teachers, girls' physical education, with one meal, none exceeding \$100 per month	1,720.00	1,720.00
37.	Teacher-coach, boys' physical education, with board	1,000.00	1,000.00
38.	Teachers; baking instructor with board at \$113.33 per month; instructor of cosmetology with board at \$75 per month; other industrial teachers not exceeding \$140 and oral and manual teachers not exceeding \$145; provided five teachers may be paid not exceeding \$155 per month; the Board of Control shall give written approval to teachers' salaries at the time of their employment each year	67,000.00	67,000.00
38a.	Field agent	1,700.00	1,700.00
39.	Truck driver-gardener, with board (12 months)	790.00	790.00
40.	Yardmen, with board (12 months) none exceeding \$40 per month	1,020.00	1,020.00
Total Salaries		\$120,747.00	\$120,747.00
Maintenance and Miscellaneous:			
42.	Support and maintenance	\$ 83,000.00	\$ 83,000.00
43.	Scholarships, Gallaudet College	1,080.00	1,080.00
43a.	Field agent, travel expense	800.00	800.00
Total Maintenance and Miscellaneous ..		\$ 84,880.00	\$ 84,880.00

		For the Years Ending August 31, August 31, 1938 1939	
Improvements, Repairs and Buildings:			
47.	General repairs and improvements -----	\$ 4,000.00	\$ 4,000.00
Total Improvements, Repairs and Build- ings -----		\$ 4,000.00	\$ 4,000.00
Grand Totals -----		\$209,627.00	\$209,627.00

STATE HOSPITAL FOR INSANE IN WEST TEXAS

In the event the act passed by this session of the Legislature establishing a State Hospital for the insane in West Texas becomes a law, there are hereby appropriated for each of the fiscal years ending August 31, 1938 and August 31, 1939, the sum of Forty-five Hundred (\$4500.00) Dollars for the hospital superintendent's salary and Five Hundred (\$500.00) Dollars for the superintendent's traveling expenses, for the purpose of aiding in planning, constructing, equipping and operating said hospital.

Sec. 2. For the purpose of partially paying the amounts of the items specified herein for the Austin State Hospital, State Orphans Home, Texas School for the Blind, and Texas School for the Deaf, there are hereby appropriated the interest on all securities held by these several institutions, and any balances remaining at the end of any fiscal year in the Available Lunatic Asylum Fund, Available Orphan Asylum Fund, Available Blind Asylum Fund, and Available Deaf and Dumb Asylum Fund; and said interests and balances shall be transferred by the State Comptroller and State Treasurer to the General Revenue Fund, either annually or semi-annually. Properly to permit these transfers there are hereby appropriated out of the General Revenue Fund to the said respective available funds as appear due to said funds \$28,700.00 to pay the unpaid interest through the fiscal years ending August 31, 1936 and August 31, 1937, and \$14,350.00 for interest in the fiscal year ending August 31, 1938, which appropriations shall be available during the year ending August 31, 1938; and for the same purposes the sum of \$14,350.00 for interest accruing in the fiscal year ending August 31, 1939, is hereby appropriated and made available for that year.

GENERAL PROVISIONS

Sec. 3. The expenditure of the appropriations herein made shall be subject to the following provisions:

Annual Reports. (a) A report shall be made annually by the superintendent or head of each institution and filed with the State Comptroller, and a copy with the Board of Control before November the first after the close of each fiscal year, giving an itemized statement of all moneys expended and the particular appropriation or fund from which said money was expended, including an itemized statement of all purchases or outstanding contracts remaining unpaid at the close of the fiscal year; also a statement showing the full amount of money received from all sources, and any balances.

(b) The head of each institution or agency shall keep a record of the absences of the various employees, the reasons therefor, whether from sickness, vacation or leave of absence and incorporate this information in the institution's regular annual report made to the Board of Control.

Printing and Stationery. All printing and stationery shall be purchased through the Board of Control and shall be confined to such articles and qualities as selected and contracted for by said Board, except certain printing provided by law to be done by several of the State institutions. No embossed or engraved printing and stationery shall be purchased.

Postage Stamps. None of the money appropriated herein for postage stamps shall be spent except on warrants or checks made payable to a United States Post Office and the warrant or check shall be endorsed by the Postmaster from whom the purchase is made.

Vacation Allowance. Vacation of not exceeding twelve (12) working days may be allowed all of the twelve-month officers and employees provided for in this Act.

Fireproof Buildings. All authorized new buildings costing more than Ten Thousand Dollars (\$10,000.00) shall be of fireproof construction except as otherwise provided.

Traveling Expenses. None of these appropriations may be used for traveling outside of the State of Texas without the advance written consent of the State Board of Control, except in adjoining States in deporting non-resident inmates and returning escaped inmates to institutions. Otherwise, the State Comptroller shall apply the same rules to the approval and payment of traveling expenses of all employees except the superintendents of the eleemosynary institutions as he applies to such expenses of the State Departments. Superintendents' trips shall be as authorized by the Board of Control.

Additional Employees' Compensation. When a necessity exists for additional help at any of the eleemosynary institutions the Board of Control shall first give to the superintendent its written approval and consent for such employment, and such help may be paid out of any local institutional receipts, including pay-patient funds, or out of support, maintenance, repair and improvement appropriations. When any additional employees, other than those for which specific salary appropriations have herein been made are employed, and are to be paid out of said non-salary appropriations or any other funds, such employees shall not be paid larger amounts than those provided in the specifically appropriated salaries for similar positions in such institution or agency, and in the event there are no similar positions within such institution then such additional employees shall not be paid larger amounts than those provided for similar positions in other State institutions, departments or agencies. In the event laborers, skilled laborers and mechanics cannot be obtained at the above mentioned salary scale, then the heads of such institutions may pay for temporary employment only not exceeding the prevailing wage scale paid in the localities where the temporary service is to be rendered. No additional employees may be hired without the written consent of the Board of Control.

Audits. None of the appropriations herein made shall be used for employing any firm, corporation or person, excepting persons regularly and continuously employed by the institutions or the State Board of Control, to audit said institutions and agencies; provided, however, that if in the

judgment of the head or managing officers of any of said institutions or agencies, additional auditing is necessary and the State Auditor shall not have sufficient funds in his appropriation to make such audits, then the head or managing officers of any of said institutions or agencies may direct the State Comptroller to transfer in lump sum and add to the appropriation made for the State Auditor the amount necessary for the State Auditor to make such audits.

Tuberculosis Sanatorium. None of the money herein appropriated for the State Tuberculosis Sanatoriums shall be used to treat any person who has not been a resident bona fide citizen of Texas for at least three (3) years; this provision shall not apply to any child born in the State of Texas.

Perquisites of Employees. (a) When it is provided that the family of a superintendent, officer, or employee of any of the said institutions, are permitted to live at said institution, and are to be furnished with board, fuel, lights, laundry, water, housing, or any of said items, the word "family" shall be construed to mean the immediate family of said superintendent, officer, or employee, including himself, wife and legally dependent children; and when any officer or employee is to be furnished with provisions not to exceed some certain amount stated, it shall be the duty of the storekeeper-accountant to charge said officer or employee with each item of provisions as furnished him, showing the price thereof; said storekeeper shall not permit the amount authorized to be exceeded, and shall make a monthly report of same to the Board of Control, and said Board of Control shall be charged with the duty of seeing that no account for such provisions exceeds the amount allowed therefor. The Board of Control may authorize one of the cooks provided in the Acts to be assigned to the Superintendent's quarters.

(b) Under written direction of the Board of Control all employees may receive board, room and laundry, except when otherwise limited.

(c) In these appropriations the Legislature has provided a fairly uniform scale of salaries for similar services throughout the institutions without, however, differentiating in the amounts to be paid employees receiving, and those not receiving, room, board and laundry from the State; and to prevent inequalities in salaries to those employees not receiving any or all of such perquisites it is provided that the Superintendent, upon the written approval of the Board of Control may adjust such employees' salaries out of the respective support and maintenance appropriations by not exceeding Twelve Dollars (\$12.00) per month each. More easily to adjust such items proper transfers from support and maintenance to salary appropriations may be made annually or more often.

Salaries and Other General Provisions. (a) All annual salaries shall be paid in twelve (12) equal monthly installments except as otherwise herein provided.

(b) If any position for which a salary is herein fixed shall not be filled then such salary shall lapse into the State Treasury. No position with a fixed salary shall be supplemented or be paid more than such specific amount out of any other funds belonging to said institution or the State; provided, that this language shall not be construed to prevent promotion or the transfer of one employee from his or her position to another position which provides a different salary, but it is specifically made the duty

of the Superintendent, to transfer employees to other positions when it is possible to secure more efficiency. No salary shall be paid to any person unless such person actually discharges assigned duties. Provided that one salary at the Galveston State Psychopathic Hospital and any vocational instructional positions at eleemosynary institutions conducting schools may be partly paid or supplemented in amounts approved in writing by the Board of Control out of Federal or State appropriations or allocations made through educational agencies.

(c) The amounts appropriated in this Act are intended to cover and shall cover the entire cost of the items, and shall not be supplemented except as otherwise provided. It is especially provided hereby that all contracts and undertakings entered into, under and by virtue of the terms hereof, for specific improvements, enlargements, and repairs on buildings and grounds, and for the construction of new buildings, shall be made strictly within the limits and terms of the appropriations made for such purposes, and it shall be the duty of the Board of Control, in the consideration and adoption of plans, specifications and contracts therefor, not to exceed such appropriations, nor to incur any obligations in excess thereof. It is provided, however, that the Superintendents of said institutions, under the direction and upon the written approval of the State Board of Control, shall be authorized to make such changes and substitutions of any amounts appropriated for maintenance, miscellaneous items, general repairs and improvements, excepting new buildings, as may be found necessary. Appropriations for buildings may include utility connections and equipment, and building and improvement appropriations made for the Austin State School (Main) and for the Austin State School Farm Colony may be used at either institution by order of the Board of Control. To provide for any further advance in the present cost of construction the Board of Control is authorized to supplement building appropriations at any of the institutions from any non-salary available appropriations or local funds by not exceeding eight per cent. The Board of Control, within their discretion, may have all plans prepared, bids advertised and contracts let so that the buildings provided may be placed under construction beginning on September 1 of the fiscal year for which the appropriations are available.

(d) Each of said institutions is hereby allowed from its support and maintenance or other appropriation a small revolving or petty cash expense fund not to exceed, at any one time, Two Thousand Dollars (\$2,000.00) at the larger institutions and not to exceed One Thousand Dollars (\$1,000.00) at the small institutions for the purpose of making emergency payments and purchasing perishable products, and the amount allowed each institution shall be certified by the Board of Control. Also each institution operating small stores, industrial or occupational departments, including the Dairy Products Plant at the Austin State Hospital, are hereby allowed revolving cash expense funds out of the respective institution's industrial or occupational deposits or receipts for the purpose of making emergency expenditures necessarily incurred in connection with the institution's industrial, occupational and other necessary activities, in amounts not to exceed Three Thousand Dollars (\$3,000.00) at the larger institutions except not exceeding Six Thousand Dollars (\$6,000.00) at the Austin State Hospital's Dairy Products Plant, and not to exceed One Thousand Dollars (\$1,000.00) in the smaller institutions, the amount for such purposes to be certified by the Board of Control. Provided, these

limitations as to amounts shall not be enforced when there is a deficit of more than One Million Dollars (\$1,000,000.00) in the General Revenue Fund.

Revolving Funds and Institutional Receipts. (a) No property belonging to any of the institutions shall be sold or disposed of without the consent of the Board of Control; and all proceeds from the sale of any such property, from labor performed, from the sale of crops and pay-inmate receipts, shall become and are hereby appropriated as a maintenance or contingent fund to be expended under the direction and upon approval of the State Board of Control. The State Board of Control is hereby authorized to use out of the proceeds of said receipts and funds such amounts as they shall deem necessary for the support and maintenance of said institutions, including the purchase of equipment and materials for the entertainment, diversion, or therapeutic improvement of the patients and inmates; needed hospital or institutional furniture and equipment, supplies, materials, repairs, improvements, including small buildings, and contingencies; and a complete statement of all such transactions shall be made in the annual reports of said institutions. The industrial and small store receipts and funds of said institutions, including those of the Austin State Hospital Dairy Products Plant, are hereby appropriated for the support, maintenance and operation of said enterprises and such receipts and funds may also be used as an institutional contingent fund under the direction of the Board of Control. Any balances remaining to the credit of any of said institutional local funds at said institutions or in the State Treasury at the end of any fiscal year are hereby reappropriated for the above mentioned purposes for each year of the biennium.

(B) Upon the approval of the Board of Control, said institutions may make just and properly due refunds of any advance payments made on behalf of pay-inmates out of the pay-inmate receipts or funds; and the Board of Control is allowed, and there are hereby appropriated out of said funds not exceeding Five Hundred Dollars (\$500.00) per year for traveling expenses and such other amounts for the employment of additional help, not to exceed two (2) employees, as shall be necessary, to be used by the Board of Control in connection with the collection of pay-inmate charges and institutional supervision, the amounts to be paid for such help not to exceed amounts paid for similar services. Refunds to patients for unused advance payments may also be made out of cash revolving funds, if directed by the Board of Control. There is also appropriated to the State Board of Control out of any institutional receipts or funds such amounts as may be necessary for traveling expenses and for salaries of a chief of the Division of Eleemosynary Institutions provided for in Article 690 of the Revised Civil Statutes of 1925, and other necessary help; provided the amounts paid for such services shall not exceed the remuneration fixed for similar services.

Employment of Aliens Prohibited. It is hereby provided that none of the moneys herein appropriated shall be paid for salaries or wages for a longer period than three (3) months to any persons who is not a citizen of the United States.

United States Aid. The Board of Control, within their discretion, may take advantage of and accept any aid extended by the Federal Government for buildings, improvements and repairs at the eleemosynary institutions.

Alabama and Coushatti Indians. The expenditure of all money herein

appropriated for the welfare of the Alabama and Coushatti Indians in Polk County, and all employees therefor, shall be under the supervision and appointment of the State Board of Control.

The Board of Control is hereby authorized to accept gift deeds, approved as to form by the Attorney General, for not exceeding 450 acres of land adjoining or near the Alabama and Coushatti Indian lands in Polk County, Texas, in which conveyances the owner or owners may desire to retain timber rights for not more than twelve years and retain oil and mineral rights permanently. The Board is also authorized to cooperate with the Federal Government on any Federal projects proposed for improving the educational and economic conditions of said Indians.

Sec. 4. If any section, sentence, clause, or part of this Act shall, for any reason, be held to be invalid, such decision shall not affect the remaining portions of this Act, and it is hereby declared to be the intention of the Legislature to have passed each sentence, section, clause, or part thereof irrespective of the fact that any other sentence, section, clause or part thereof may be declared invalid.

Sec. 5. The fact that the above and foregoing is one of the regular appropriation bills to pay the salaries of employees, and to pay other expenses of maintaining and conducting certain eleemosynary institutions and other State agencies of the State for the two (2) fiscal years beginning September 1, 1937, and ending August 31, 1939, creates an emergency and an imperative public necessity, requiring the Constitutional Rule that bills be read on three several days be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

RECAPITULATION

	For the Years Ending August 31, August 31, 1938 1939	
Abilene State Hospital, Abilene.....	\$ 400,856.00	\$ 393,204.00
Alabama and Coushatti Indians, Livingston	14,589.00	11,189.00
Austin State Hospital	713,828.00	834,859.00
Austin State School (Main).....	513,363.00	585,183.00
Austin State School Farm Colony (Branch of Austin State School)	216,003.00	168,415.00
State Colored Orphans' Home, Gilmer.....	30,324.00	28,774.00
Texas Confederate Home.....	71,459.00	66,259.00
Confederate Women's Home	55,880.00	51,880.00
Deaf, Dumb and Blind Institute for Colored Youths	105,621.00	97,421.00
Galveston State Psychopathic Hospital.....	211,965.00	157,215.00
Girls Training School, Gainesville	164,579.00	103,579.00
State Home for Dependent and Neglected Children, Waco.....	136,654.00	195,054.00
State Hospital for Crippled and De- formed Children, Galveston.....	79,655.00	79,655.00
State Juvenile Training School, Gatesville	213,202.00	200,002.00
State Orphans' Home, Corsicana.....	257,815.00	240,065.00
Rusk State Hospital, Rusk.....	933,046.00	554,142.00
San Antonio State Hospital, San Antonio....	784,103.00	635,576.00
Terrell State Hospital, Terrell	771,726.00	616,349.00

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State Tuberculosis Sanatorium,		
Sanatorium	556,881.00	621,161.00
Kerrville State Sanatorium, Kerrville.....	119,814.00	118,814.00
Wichita Falls State Hospital,		
Wichita Falls	675,607.00	686,815.00
Texas School for the Blind, Austin.....	121,790.00	118,990.00
Texas School for the Deaf, Austin.....	209,627.00	209,627.00
Grand Totals	\$7,358,387.00	\$6,774,228.00
Combined Grand Total for		
Biennium		\$14,131,615.00

Mr. Graves moved that the report be adopted.

Mr. Gibson moved, as a substitute motion, that further consideration of the conference committee report on Senate Bill No. 140 be postponed until 10:00 o'clock a. m., tomorrow.

The motion by Mr. Gibson was lost.

The report was then adopted by the following vote:

Yeas—118

Adkins	Hanna
Alexander	Harbin
Alsup	Hardin
Amos	Harrell
Bates	Harris of Archer
Beckworth	Harris of Dallas
Bell	Harris of Dickens
Blankenship	Herzik
Boethel	Hoskins
Bond	Hull
Boyer	Hyder
Bradbury	James
Bradford	Johnson of Ellis
Bridgers	Johnson
Broadfoot	of Tarrant
Brown	Jones of Atascosa
Burton	Jones of Angelina
Callan	Jones of Falls
Carssow	Jones of Wise
Cauthorn	Keefe
Cleveland	Keith
Colquitt	Kelt
Davis of Haskell	Kenyon
Davis of Jasper	King
Davisson	Knetsch
of Eastland	Langdon
Deglandon	Lankford
Dollins	Lanning
England	Leyendecker
Farmer	Little
Felty	Loggins
Fox	Lucas
Fuchs	Mauritz
Graves	Mays
Hankamer	McConnell
Hamilton	McCracken

McDonald	Settle
McFarland	Sewell
McKee	Sharpe
Metcalfe	Shell
Moffett	Simpson
Monkhouse	Skaggs
Morris	Smith of Hopkins
Morse	Smith
Newton	of Matagorda
Nicholson	Smith of Tarrant
Oliver	Stevenson
Palmer	Stinson
Patterson	Stocks
of Travis	Talbert
Petsch	Tarwater
Pope	Tennant
Powell	Tennyson
Prescott	Thornberry
Reader	Thornton
Reed of Bowie	Vale
Reed of Dallas	Waggoner
Rhodes	Weldon
Riddle	Winfree
Ross	Wood
Schuenemann	Worley

Nays—8

Fielden	London
Gibson	Patterson of Mills
Kern	Ragsdale
Leath	Westbrook

Absent

Cathey	Holland
Celaya	Howard
Davison of Fisher	Jackson
Dean	Leonard
Dickison	McKinney
Harper	Quinn
Hartzog	Walker
Heflin	

Absent—Excused

Baker	Mann
Cagle	Roark
Derden	Russell
Huddleston	Rutta

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 1053

Mr. Leonard, Chairman, submitted the following conference committee report on House Bill No. 1053:

Committee Room,

Austin, Texas, May 20, 1937.

Hon. Walter F. Woodul, President of the Senate.

Hon. Robert W. Calvert, Speaker of the House of Representatives.

Gentlemen:

We, your Conference Committee appointed to adjust the differences between the House and the Senate on House Bill No. 1053, report that we have considered the same and recommend that it do pass in the form hereto attached.

Respectfully submitted,

NEAL,
SPEARS,
NELSON,
LEMENS,
BECK,

On the part of the Senate.

LEONARD,
VALE,
POPE,
CELAYA,
LEYENDECKER,

On the part of the House.

H. B. No. 1053,

A BILL

To Be Entitled

An Act creating out of the South Zone, as set out in Article 878 of the Penal Code, a zone to be designated as the Coastal Zone; fixing an open season or period of time when it shall be lawful to hunt, take or kill wild mourning doves in the North Zone, in the Coastal Zone and in the Coastal Zone south of the dividing line between the North White Wing Zone and the South White Wing Zone as defined by Article 878a of the Penal Code of Texas, as shown by Vernon's Texas Statutes, 1936; fixing an open season or period of time when it shall be lawful to hunt, take or kill white winged doves in the North White Wing Zone and in the South White Wing Zone; amending Article 881 of the Penal Code of Texas so as to fix bag limits on mourning doves and white winged doves and placing a limitation on

the transportation of mourning doves and white winged doves from one county to another within the South White Wing Zone and from within the South White Wing Zone to without the South White Wing Zone; providing for the repeal of all laws or parts of laws in conflict herewith and declaring the intention of the Legislature with regard to the fixing and maintaining of open seasons and bag limits on mourning doves and white winged doves in the South White Wing Zone, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That out of what is known as South Zone, created by virtue of Article 878 of Penal Code as shown by Vernon's Texas Statutes, 1936, is hereby created a new zone to be designated Coastal Zone and to be composed of the following counties: Orange, Jefferson, Chambers, Galveston, Harris, Brazoria, Fort Bend, Wharton, Matagorda, Jackson, Calhoun, Victoria, Goliad, Refugio, Aransas, San Patricio, Bee, Jim Wells, Nueces, Kleberg, Duval, Brooks, Kenedy, Willacy, Cameron, Hidalgo, Starr, Jim Hogg, Zapata, Webb, Dimmitt, Zavala, Uvalde and Medina.

Sec. 2. There shall be an open season or period of time when it shall be lawful to hunt, take or kill wild mourning doves in the North Zone in the months of September and October; in the South Zone, as limited by Section 1 hereof, from December 1 to January 16; and in the Coastal Zone, as designated in Section 1 hereof, north of the dividing line between the North and South White Wing Zone as fixed by Article 878a of the Penal Code of Texas, as shown by Vernon's Texas Statutes, 1936, in the months of October and November, and in said Coastal Zone south of said dividing line between the North and South White Wing Zones on each Sunday, Tuesday, Thursday, and Saturday during the months of September and October of each year, and on no other days.

Sec. 3. There shall be an open season or period of time when it shall be lawful to hunt, take or kill wild white winged doves in the North White Wing Zone, as designated by Article 878a of Vernon's Texas Statutes, 1936, during the time from Au-

gust 8 to October 31 of each year, both days inclusive; and in the South White Wing Zone, as designated by said Article 878a, on each Sunday, Tuesday, Thursday and Saturday, and on no other days, during the months of September and October of each year.

Sec. 4. It shall be unlawful to take, kill, or possess any mourning doves or white winged doves in greater number than the daily, weekly, or possession limit or number of such game birds permitted to be killed or taken, such bag limit and possession limit to be as follows: Wild mourning doves and wild white winged doves, fifteen (15) in any one day, and not more than thirty (30) in possession at any one time, except that in the South White Wing Zone the bag limit shall be computed by adding together the number of wild mourning doves and the number of white winged doves killed or possessed, and it shall also be unlawful for anyone to transport from one county to another in the South White Wing Zone or from within the South White Wing Zone to without the South White Wing Zone more than thirty (30) white winged doves and/or wild mourning doves.

Sec. 5. Any person taking, killing, having in possession or transporting any wild mourning dove or wild white winged dove at any other time than the open season provided in this Act, or in excess of the bag limit, possession limit, seven day limit, or transportation limit, provided by any provision of this Act, shall be guilty of a misdemeanor, and upon conviction shall be fined in the sum not less than \$10.00, nor more than \$100.00, and each bird killed, possessed or transported in violation of any provision of this Act shall constitute a separate offense.

Sec. 6. All laws or parts of laws in conflict herewith are hereby repealed. It is hereby declared to be the intention of the Legislature to fix an open season or period of time when it is lawful to hunt, take or kill wild mourning doves in the South White Wing Zone, as set out in this Act, different from that in the remainder of the South Zone and in the Coastal Zone, and it is further declared to be the intention of the Legislature that such open season fixed in this Act shall remain effective despite other and conflicting Acts fixing the open

season in the South Dove Zone and the Coastal Zone. It is hereby declared to be the intention of the Legislature that no Act fixing an open season in the South Dove Zone or the Coastal Zone shall be effective in the South White Wing Zone unless this Act shall be specifically and by numbered reference amended or repealed.

Sec. 7. The fact that the present laws regulating the taking of wild mourning doves and white winged doves in the South White Wing Zone do not adequately protect these birds nor afford an equitable opportunity for hunting the same, and the further fact that climatic conditions in the South Wing Zone differ so greatly from climatic conditions in the remainder of the South Dove Zone, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Mr. Leonard, the report was adopted by the following vote:

Yeas—119

Adkins	Felty
Alexander	Fielden
Alsup	Fox
Amos	Fuchs
Bates	Gibson
Beckworth	Hamilton
Bell	Hankamer
Blankenship	Hanna
Boethel	Hardin
Bond	Harris of Archer
Boyer	Harris of Dallas
Bradbury	Harris of Dickens
Bradford	Herzik
Bridgers	Holland
Broadfoot	Hoskins
Brown	Hull
Burton	Hyder
Callan	James
Carssow	Johnson of Ellis
Cauthorn	Johnson
Cleveland	of Tarrant
Colquitt	Jones of Atascosa
Davis of Haskell	Jones of Angelina
Davis of Jasper	Jones of Wise
Davison of Fisher	Keefe
Davisson	Keith
of Eastland	Kelt
Deglandon	Kern
Dollins	King
England	Knetsch
Farmer	Langdon

Lankford	Reed of Bowie
Lanning	Reed of Dallas
Leonard	Rhodes
Leyendecker	Riddle
Little	Ross
Loggins	Schuenemann
London	Settle
Lucas	Sewell
Mauritz	Sharpe
Mays	Simpson
McConnell	Skaggs
McCracken	Smith of Hopkins
McDonald	Smith
McFarland	of Matagorda
McKee	Stinson
Metcalfe	Stocks
Moffett	Talbert
Monkhouse	Tarwater
Morris	Tennant
Morse	Tennyson
Newton	Thornberry
Nicholson	Thornton
Oliver	Vale
Palmer	Waggoner
Patterson	Walker
of Travis	Weldon
Pope	Westbrook
Powell	Winfree
Quinn	Wood
Ragsdale	Worley
Reader	
Absent	
Cathey	Jackson
Celaya	Jones of Falls
Dean	Kenyon
Dickison	Leath
Graves	McKinney
Harbin	Patterson of Mills
Harper	Petsch
Harrell	Shell
Hartzog	Smith of Tarrant
Heflin	Stevenson
Howard	
Absent—Excused	
Baker	Prescott
Cagle	Roark
Derden	Russell
Huddleston	Rutta
Mann	

HOUSE BILL NO. 207 WITH SENATE AMENDMENTS

Mr. Settle called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 207, A bill to be entitled "An Act amending Section 6, Chapter 106, Acts of the Fortieth Legislature, First Called Session, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

Mr. Settle moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 47

Mr. Tennyson, Chairman, submitted the following Conference Committee Report on Senate Bill No. 47:

Austin, Texas, May 19, 1937.

Hon. Walter F. Woodul, President of the Senate.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the House and the Senate on Senate Bill No. 47, beg leave to report that we have considered the same and recommend that it do pass in the form and text attached hereto.

Very respectfully,

COTTEN,
BURNS,
VAN ZANDT,
ISELL,
HEAD,

On the part of the Senate.

TENNYSON,
SMITH of Hopkins,
BLANKENSHIP,
BOETHEL,
DICKISON,

On the part of the House.

S. B. No. 47,

A BILL

To Be Entitled

An Act to carry into effect Section 48a of Article III of the Constitution; to establish a Teachers' Retirement System of Texas; to determine membership and conditions of membership in said System; to provide for a Board of Trustees of said System and for the administration of its affairs; to provide for officers and a Medical Board and to define their duties; to provide for the adoption of actuarially-made mortality, service and other tables as may be deemed necessary; to provide for the creation, management and distribution of the Teacher Reserve Fund, the State Accumulation Fund, the Annuity Reserve Fund, the Interest Fund, the Permanent

Retirement Fund, and the Expense Fund of the said System; and to provide a method of financing said System; providing that no appropriation shall ever be made by the Legislature out of the General Funds for the payment of retirement benefits; and providing that such payments can only be made out of special taxes levied as authorized in the Constitutional Amendment for the retirement of teachers; making an appropriation of Twenty-five Thousand (\$25,000.00) Dollars out of the General Revenue Funds of the State of Texas not otherwise appropriated, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. Definitions: The following words and phrases as used in this Act unless a different meaning is plainly required by the context shall have the following meanings:

(1) "Retirement System" shall mean the Teachers' Retirement System of Texas as defined in Section 2 of this Act.

(2) "Public School" shall mean any educational organization supported wholly or partly by the State under the authority and supervision of a legally constituted board or agency having authority and responsibility for any function of public education.

(3) "Teacher" shall mean a person employed on a full-time, regular-salary basis by boards of common school districts, boards of independent school districts, county school boards, Retirement Board of Trustees, State Board of Education and State Department of Education, boards of regents of colleges and universities, and any other legally constituted board or agency of an educational institution or organization supported wholly or partly by the State. In all cases of doubt, the Retirement Board of Trustees, hereinafter defined, shall determine whether a person is a teacher as defined in this Act. A teacher shall mean a person rendering service to organized public education in professional and business administration and supervision and in instruction, in public schools as defined in subsection (2) of this section.

(4) "Taught" shall mean all regular services contributing directly and indirectly to the instruction offered by and through the teachers as de-

finied in subsection (3) of this section.

(5) "Employer" shall mean the State of Texas and any of its designated agents or agencies with responsibility and authority for public education, such as the common and independent school boards, the boards of regents of state colleges and universities, the county school boards, or any other agency of and within the State by which a person may be employed for service in public education.

(6) "Member" shall mean any teacher included in the membership of the system as provided in Section 3 of this Act.

(7) "State Board of Trustees" shall mean the Board provided for in Section 6 of this Act to administer the Retirement System.

(8) "Service" shall mean service as a teacher as described in subsection (3) of this section.

(9) "Prior-Service" shall mean service rendered prior to the date of establishment of the Retirement System.

(10) "Membership Service" shall mean service as a teacher rendered while a member of the Retirement System.

(11) "Creditable Service" shall mean "Prior-Service" plus "Membership Service" for which credit is allowable as provided in Section 4 of this Act.

(12) "Beneficiary" shall mean any person in receipt of an annuity, a retirement allowance or other benefit as provided by this Act.

(13) "Regular Interest" shall mean interest at the rate of three and one-half (3½%) per centum per annum, compounded annually.

(14) "Current Interest" shall mean the mean interest earned annually on investments of retirement funds.

(15) "Accumulated Contribution" shall mean the sum of all the amounts deducted from the compensation of a member, and credited to his individual account in the Teacher Saving Fund together with regular interest thereon as provided in Section 8 of this Act.

(16) "Earnable Compensation" shall mean the full rate of the compensation that would be payable to a teacher if he worked the full normal working time. In cases where compensation includes maintenance, the

State Board of Trustees shall fix the value of that part of the compensation not paid in money.

(17) "Average Prior-Service Compensation" shall mean the average annual compensation of a member during the ten (10) years immediately preceding the enactment of this law, or if he had less than ten (10) years of such service, then his average compensation shall be computed for his total years of such prior-service, but in computing the average, no salary for any one year shall be more than Three Thousand (\$3,000.00) Dollars.

(18) "Annuity" shall mean payments for life actuarially determined and derived from reserve funds contributed by a member and by the State. All annuities shall be payable in equal monthly installments.

(19) "Retirement Allowance" shall mean an annuity or any optional benefit payable in lieu thereof.

(20) "Retirement" shall mean withdrawal from active service with a retirement allowance granted under the provisions of this Act.

(21) "Service Retirement" shall mean the retirement of a member from active service with an annuity or other benefit in lieu of an annuity at any time after reaching age of sixty (60) years.

(22) "Disability Retirement" shall mean withdrawal from active service on a disability allowance any time after twenty (20) years of service in Texas and before becoming sixty (60) years of age.

(23) "Annuity Reserve" shall mean the present value computed upon the basis of such annuity or mortality tables as shall be adopted by the State Board of Trustees with regular interest, of all payments to be made on account of any annuity or benefit in lieu of any annuity, granted to a member under the provisions of this Act.

(24) "Actuarial Equivalent" shall mean a benefit of equal value when computed upon the basis of such mortality tables as shall be adopted by the State Board of Trustees, and regular interest.

(25) "School Year" shall mean the year beginning on or about September 1st and ending on or about August 31st.

Sec. 2. Name and Date of Establishment. A Retirement System is hereby established and placed under

the management of the State Board of Trustees as hereinafter created for the purpose of providing retirement allowances and other benefits under the provisions of this Act for teachers as defined in this Act. The Retirement System so created shall be established as of July 1, 1937.

It shall have the power and privileges of a corporation and shall be known as the "Teacher Retirement System of Texas," and by such name all of its business shall be transacted, all of its funds invested and all of its cash and securities and other property held.

Sec. 3. Membership: The membership of said Retirement System shall be composed as follows:

(1) All persons who are teachers on the date as of which the Retirement System is established shall become members as of that date as a condition of their employment unless within a period of ninety (90) days after September 1, 1937, any such teacher shall file with the State Board of Trustees on a form prescribed by such Board, a notice of his election not to be covered in the membership of the System and a duly executed waiver of all present and prospective benefits which would otherwise inure to him on account of his participation in the Retirement System.

(2) Beginning September 1, 1938, and thereafter any teacher teaching for the first time in Texas shall become a member of the Retirement System as a condition of his employment.

(3) Should any member in any period of six (6) consecutive years after becoming a member be absent from service more than five (5) years, or should he withdraw his accumulated contributions, or should he become a beneficiary, or upon death, he shall thereupon cease to be a member.

(4) Any teacher who elects not to become a member of the Retirement System as herein provided as of September 1, 1937, and the ninety (90) days next following, may make application to become a member at the beginning of any new school year, but without claim for prior-service credit.

(5) Anyone who has taught in the State of Texas in accordance with the terms of this Act, but who is not in service during the year in which the Act becomes effective, shall, if he

becomes a teacher within two (2) years of the date on which this Act becomes effective, and if he continues as such for a period of five (5) consecutive years, be entitled to receive credit and resulting benefits for prior-service as provided for in this Act.

Sec. 4. Creditable Service.

(1) Under such rules and regulations as the State Board of Trustees shall adopt each person who was a teacher, as defined in this Act, at any time during the year immediately preceding the establishment of the System, and who becomes a member during the first year of operation of the Retirement System, or who is a member at the beginning of the school year 1937-1938, shall file a detailed statement of all Texas service, as a teacher, rendered by him prior to the date of establishment of the Retirement System for which he claims credit.

(2) The State Board of Trustees shall fix and determine by appropriate rules and regulations how much service in any year is equivalent to one year of service, but in no case shall more than one year of service be creditable for all service in one school year.

(3) Subject to the above restrictions and to such other rules and regulations as the State Board of Trustees may adopt, the State Board of Trustees shall verify and adjust, as soon as practicable after the filing of such statements of service, the service therein claimed.

(4) Upon adjustment and verification of the statements of service, the State Board of Trustees shall issue prior-service certificates certifying to each member the length of Texas service rendered prior to the date of the establishment of the Retirement System, with which he is credited on the basis of his statement of service. So long as membership continues, a prior-service certificate shall be final and conclusive for retirement purposes as to such service, provided, however, that any member may, within one (1) year from the date of issuance or modification of such certificate, request the State Board of Trustees to modify or correct his prior-service certificate.

When membership ceases, such prior-service certificate shall become void. Should the employee again become a member, such a person shall

enter the System as a member not entitled to prior-service credit except as provided in Section 5, Subsection (5), paragraph (b) of this Act.

(5) Creditable service at retirement on which the retirement allowance of a member shall be based, shall consist of the membership-service rendered by him since he last became a member, and also, if he has a prior-service certificate which is in full force and effect, the amount of the service credited on his prior-service certificate. No member shall be entitled to a retirement allowance until he has accumulated twenty (20) or more years of creditable service in Texas.

Sec. 5. Benefits.

1. Service Retirement Benefits.

(a) Any member in service may retire upon written application to the State Board of Trustees. Retirement shall be effective as of the end of the school year then current, provided that the said member at the time so specified for his retirement shall have attained the age of sixty (60) years.

(b) Any member in service who has attained the age of seventy (70) years shall be retired forthwith, provided that with the approval of his employer he may remain in service.

(c) Paragraphs (a) and (b) of this Subsection are limited as follows:

Any member in service on the date upon which this Act becomes effective who has attained the age of seventy (70) years may be retired on September 1, 1938; and any member in service on the date upon which this Act becomes effective who has attained the age of sixty (60), but not seventy (70) years shall not be permitted to make application for retirement until he has been a member of the Retirement System for two (2) years.

2. Allowance for Service Retirement.

Upon retirement for service a member shall receive a retirement allowance in the form of an annuity which shall be the actuarial equivalent of the sum of his savings and the State reserves due him as a condition of his creditable service and membership in the Retirement System. His retirement allowance reserve shall be derived from:

(a) His accumulated contributions credited to his account in the Teacher

Saving Fund at the time of retirement; and

(b) An additional sum from the State Accumulation Fund equal to the accumulated contributions provided by the member in paragraph (a) of this subsection; and

(c) If he has a prior-service certificate in full force and effect, an additional annuity reserve fund, the amount of which shall be the actuarial equivalent of an annuity of one (1%) per centum of his average prior-service compensation, as defined in this Act, multiplied by the number of years of Texas service certified in his prior-service certificate; provided that in computing his average prior-service compensation, the maximum number of years of service to be allowed shall be thirty-six (36) years and the maximum prior-service salary Three Thousand (\$3,000.00) Dollars; provided that the State Board of Trustees shall have an actuarial and statistical study made at least once every five (5) years showing annual trends and the probable liabilities and assets; upon the recommendation of the Actuary, the Board shall have the power to reduce or increase the one (1%) per centum to a percentage not below one-third ($1/3$) of one (1%) per centum, nor more than one (1%) per centum of the average prior-service compensation until the resulting reduced liability does not exceed the available assets for prior-service. Provided that if the five-year actuarial investigation reveals further need of reducing said prior-service liabilities in order to strike a balance with available assets during said period for said service, the State Board of Trustees shall reduce the average prior-service salary, and the number of years of prior-service credit so that the total reduction required will fall equally upon said salary and service for the period covered by the report of the Actuary. Provided, further, any adjustment in the amount of prior-service compensation of any member or members of the System made by the Trustees, shall be over a period of years of not less than five (5), nor more than seven (7). Available assets shall mean that part of the State Accumulation Fund not required as reserves to meet prospective liabilities calculated to accrue annually over a limited number of years on account of service retirement re-

serves and disability retirement reserves.

(d) It is expressly provided that the prior-service compensation herein provided for shall be a mutual agreement on the part of the State of Texas and the teacher-member of the Retirement System, and in no event shall the failure of the State Board of Trustees to make adjustments for which total funds are not available for payment of prior-service and disability benefits be held as a liability against the State of Texas.

(e) It is further provided that any funds remaining on hand at the end of each five-year period based upon the actuarial and statistical study herein provided for and which shall not be needed to meet the accrued liabilities of the State for prior-service reserves and disability benefits, shall revert to the General Treasury of the State of Texas as of August 31st of said year.

3. Disability Retirement Benefits.

Upon the application of a member in service, or of his employer or his legal representative acting in his behalf, any member who has had twenty (20) or more years of creditable service may be retired by the State Board of Trustees, not less than thirty (30) and not more than ninety (90) days next following the date of filing such application, on a disability retirement allowance, provided, that the Medical Board, after a medical examination of such member, shall certify that such member is mentally or physically incapacitated for the further performance of duty, that such incapacity is likely to be permanent, and that such member should be retired.

4. Allowance on Disability Retirement.

Upon retirement for disability, a member shall receive a service retirement allowance if he has attained the age of sixty (60) years, otherwise he shall receive a disability retirement allowance which shall be the actuarial equivalent of the sum of funds derived from sources as follows:

(a) From the accumulated contributions of the member standing to his account in the Teacher Saving Fund at the time of his retirement; and

(b) An additional amount from the State Accumulation Fund equal to the accumulated contributions pro-

vided by the member in paragraph (a) of this subsection; and

(c) If he has a prior-service certificate in full force and effect, an additional amount which shall be equal to fifty (50%) per centum of the award for such prior-service as herein computed.

5. Beneficiaries Retired on Account of Disability.

Once each year during the first five (5) years following retirement of a member on a disability retirement allowance, and once in every three-year period thereafter, the State Board of Trustees may, and upon his application shall, require any disability beneficiary who has not yet attained the age of sixty (60) years to undergo a medical examination, such examination to be made at the place of residence of said beneficiary or any other place mutually agreed upon, by a physician or physicians designated by the State Board of Trustees. Should any disability beneficiary who has not yet attained the age of sixty (60) years refuse to submit to at least one medical examination in any such periods by a physician or physicians designated by the State Board of Trustees, his allowance shall be discontinued until his withdrawal of such refusal, and should his refusal continue for one (1) year, all his rights in and to his annuity shall be revoked by the State Board of Trustees.

(a) Should the Medical Board report and certify to the State Board of Trustees that such disability beneficiary is no longer physically or mentally incapacitated for the performance of duty, or that such disability beneficiary is engaged in or is able to engage in a gainful occupation, and should the State Board of Trustees by a majority vote concur in such report, then the amount of his annuity shall be discontinued or reduced to an amount by which the amount of the last year's salary of the beneficiary, as a teacher, exceeds his present earning capacity. Should his earning capacity be later changed, the amount of his annuity may be further modified; provided, that the revised annuity shall not exceed the amount of the annuity originally granted which, when added to the amount earnable by the beneficiary, equals the amount of his compensation for the last year prior to retirement.

(b) Should a disability beneficiary under the age of sixty (60) years be restored to active service, his retirement allowance shall cease, he shall again become a member of the Retirement System, and any annuity reserves on his retirement allowance at that time in the Annuity Reserve Fund shall be transferred to the Teacher Saving Fund and to the State Accumulation Fund, respectively, in proportion to the original sums transferred from his account to the Annuity Savings Fund at retirement. Upon restoration to membership any prior-service certificate on the basis of which his service was computed at the time of his retirement, shall be restored to full force and effect, and in addition, upon his subsequent retirement he shall be credited with all his membership service. No teacher eligible to retire for service at sixty (60) years of age shall be allowed to retire on a disability allowance. If the disability beneficiary shall be removed from the disability list for any cause, the unused part of the reserves for the annuity purchased from his accumulated contributions shall be transferred to the Teacher Reserve Fund and the State Accumulation Fund, respectively, and disposed of as provided for in this Act.

6. Return of Accumulated Contributions.

Should a member cease to be a teacher except by death or retirement under the provisions of this Act, he shall be paid in full the amount of the accumulated contributions standing to the credit of his individual account in the Teacher Saving Fund. Should a member die before retirement, the amount of his accumulated contributions standing to the credit of his individual account shall be paid as provided by the laws of descent and distribution of Texas unless he has directed the account to be paid otherwise. Seven (7) years after such cessation of service, if no previous demand has been made, any accumulated contributions of a contributor shall be returned to him or to his heirs. If the contributor or his heirs cannot then be found, his accumulated contributions shall be forfeited to the Retirement System and credited to the Permanent Retirement Fund.

7. Optional Allowances.

With the provision that no optional selection shall be effective in case a

beneficiary dies within thirty (30) days after retirement, and that such a beneficiary shall be considered as an active member at the time of death; until the first payment on account of any service benefit becomes normally due, any member may elect to receive his benefit in a retirement allowance payable throughout life, or he may elect to receive the actuarial equivalent at that time, of his retirement allowance in a reduced retirement allowance payable throughout life with the provision that:

Option (1). Upon his death, his reduced retirement allowance shall be continued throughout the life of, and paid to, such person as he shall nominate by written designation duly acknowledged and filed with the State Board of Trustees at the time of his retirement; or

Option (2). Upon his death, one-half ($\frac{1}{2}$) of his reduced retirement allowance shall be continued through the life of, and paid to such person, as he shall nominate by written designation duly acknowledged and filed with the State Board of Trustees at or before the time of his retirement; or

Option (3). Some other benefit or benefits shall be paid either to the member, or to such person or persons as he shall nominate, provided such other benefit or benefits, together with the reduced service retirement allowance, shall be certified by the Actuary to be of equivalent actuarial value to his retirement allowance, and approved by the State Board of Trustees.

Sec. 6. Administration.

State Board of Trustees.

(1) The general administration and responsibility for the proper operation of the Retirement System and for making effective the provisions of the Act are hereby vested in a State Board of Trustees which shall be organized immediately after a majority of the Trustees provided for in this Section shall have qualified and taken the oath of office.

(2) The Board shall consist of six (6) Trustees as follows:

(a) The State Life Insurance Commissioner, ex-officio.

(b) The Chairman of the State Board of Control of Texas, ex-officio.

(c) A person selected by the State Board of Education for a term of six (6) years.

(d) Three (3) of the Trustees shall be members of the Retirement System and shall be nominated by the members of the Retirement System for a term of six (6) years each according to such rules and regulations as the State Board of Trustees shall adopt to govern such nominations, provided that the first three (3) teachers to serve as members of the State Board of Trustees shall be approved by the Governor from a list of seven (7) teachers nominated by the Executive Committee of the Texas State Teachers Association. The terms of office of the first three (3) teacher-trustees shall begin immediately after they have qualified and taken the oath of office. They shall draw for terms of two (2), four (4), and six (6) years, which shall expire August 31, 1939, and August 31, 1941, and August 31, 1943, respectively. Thereafter, the State Board of Trustees shall provide for the nomination of three (3) teacher-members biennially by popular election of the members of the Retirement System, from which the Governor shall appoint one member to the State Board of Trustees; said member shall be subject to confirmation by two-thirds ($\frac{2}{3}$) vote of the State Senate. The members so appointed shall serve for terms of six (6) years, or until their successors are qualified.

(3) If a vacancy occurs in the office of a Trustee, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled.

(4) The Trustees shall serve without compensation, but they shall be reimbursed from the Expense Fund for all necessary expenses that they may incur through service on the Board.

(5) Each Trustee shall, within ten (10) days after his appointment, in addition to the constitutional oath, subscribe to the following oath of office: "I do solemnly swear that I will, to the best of my ability, discharge the duties of a Trustee of The Teacher Retirement System and will diligently and honestly administer the affairs of the Board of Trustees of said Retirement System and that I will not knowingly violate or willingly permit to be violated any of the provisions of law applicable to said Retirement System." This oath shall be subscribed to by members making it before any officer quali-

fied to administer oaths in Texas, and duly filed in the office of the Secretary of State.

(6) Each Trustee shall be entitled to one vote in the Board. A majority of the State Board of Trustees shall constitute a quorum and a majority vote of those present shall be necessary for a decision by the Trustees at any meeting of said Board.

(7) Subject to the limitations of this Act, the State Board of Trustees shall, from time to time, establish rules and regulations for eligibility of membership and for the administration of the funds created by this Act and for the transaction of its business.

(8) The State Board of Trustees shall elect from its membership a Chairman and shall by a majority vote of all its members appoint an Executive Secretary who shall not be one of its members. Provided that the Executive Secretary appointed under the provisions of this Act shall be confirmed by a two-thirds (2-3) vote of the Senate present and provided further that said Executive Secretary shall have been a citizen of Texas three (3) years immediately preceding his appointment. He shall recommend and nominate to the State Board of Trustees such actuarial and other service as shall be required to transact the business of the Retirement System. The compensation of all persons engaged by the State Board of Trustees, and all other expenses of the Board necessary for the operation of the Retirement System shall be paid at such rates and in such amounts as the State Board of Trustees shall approve, provided that in no case shall they be greater than that paid for like or similar service of the State of Texas.

(9) The State Board of Trustees shall keep in convenient form such data as shall be necessary for actuarial valuation of the various funds of the Retirement System, and for checking the expenses of the System.

(10) The State Board of Trustees shall keep a record of all of its proceedings which shall be open to public inspection. It shall publish annually a report showing the fiscal transactions of the Retirement System for the preceding school year, the amount of the accumulated cash and securities of the System, and the last balance sheet showing the financial condition of the System by means of

an actuarial valuation of the assets and liabilities of the Retirement System.

Legal Adviser.

(11) The Attorney General of the State of Texas shall be the legal adviser of the State Board of Trustees, and shall represent it in all litigations.

Medical Board.

(12) The State Board of Trustees shall designate a Medical Board to be composed of three (3) physicians not eligible to participate in the Retirement System. The physicians so appointed by the State Board of Trustees shall be legally qualified to practice medicine in Texas and shall be physicians of good standing in the medical profession. If required, other physicians may be employed to report on special cases. The Medical Board shall pass upon all medical examinations required under the provisions of this Act, and shall investigate all essential statements and certificates by or on behalf of a member in connection with an application for disability retirement, and shall report in writing to the State Board of Trustees its conclusion and recommendations upon all the matters referred to it.

Duties of Actuary.

(13) The State Board of Trustees shall designate an Actuary who shall be the technical adviser of the State Board of Trustees on matters regarding the operation of the funds created by the provisions of this Act, and shall perform such other duties as are required in connection therewith.

(14) Immediately after the establishment of the Retirement System, the Actuary shall make such investigation of the mortality, service, and compensation experience of the members of the System as he shall recommend and the State Board of Trustees shall authorize, and on the basis of such investigation he shall recommend for adoption by the State Board of Trustees such tables and such rates as are required. The State Board of Trustees shall adopt tables and certify rates, and as soon as practicable thereafter, the Actuary shall make a valuation based on such tables and rates, of the assets and liabilities of the funds created by this Act.

(15) In the year 1938, and at least once in each five-year period thereafter, the Actuary shall make, under

the direction of the Board, an actuarial investigation into the mortality, service, and compensation experience of the members and beneficiaries of the Retirement System, and shall make a valuation of the assets and liabilities of the funds of the System, and taking into account the result of such investigation and valuation, the State Board of Trustees shall adopt for the Retirement System such mortality, service, and other tables as shall be deemed necessary; and certify the rate per centum which shall be allowed in calculating amounts of prior-service reserves to be credited to the account of each member at retirement.

(16) On the basis of such tables as the State Board of Trustees shall adopt, the Actuary shall make an annual valuation of the assets and liabilities of the funds of the System created by this Act.

Sec. 7. Management of Funds.

(1) The State Board of Trustees shall be the trustees of the several funds as herein created by this Act, and shall have full power to invest and reinvest such funds subject to the following limitations and restrictions: All retirement funds, as are received by the Treasury of the State of Texas from contributions of teachers and employers as herein provided, may be invested only in bonds of the United States, the State of Texas, or counties, or cities, or school districts of this State, wherein said counties, or cities, or school districts have not defaulted in principal or interest on bonds within a period of ten (10) years, or in bonds issued by any agency of the United States Government, the payment of the principal and interest on which is guaranteed by the United States; and in interest bearing notes or bonds of the University of Texas issued under and by virtue of Chapter 40, Acts of the Forty-third Legislature, Second Called Session; provided that a sufficient amount of said funds shall be kept on hand to meet the immediate payment of the amounts that may become due each year as provided in this Act. The State Board of Trustees shall have full power by proper resolution to hold, purchase, sell, assign, transfer, and dispose of any of the securities and investments in which any of the funds created herein shall have been invested, as well as the proceeds of said investments and

any moneys belonging to said funds, provided that any money on hand shall be subject to the State Depository Laws of Texas.

(2) The State Board of Trustees annually shall allow regular interest on the mean amount for the preceding year in each of the funds with the exception of the Expense Fund as herein provided. The amounts so allowed shall be due and payable to said funds, and shall be annually credited thereto by the State Board of Trustees from interest and any other earnings on the moneys of the Retirement System held in the Interest Fund. Any additional amount required to meet the regular interest on the funds of the Retirement System shall be paid from the interest reserve account of the Permanent Retirement Fund, as herein provided, and any excess of earnings over such amount required shall be paid to the interest reserve account of the Permanent Retirement Fund.

(3) The Treasurer of the State of Texas shall be the custodian of all bonds, securities, and funds. All payments from said funds shall be made by him on warrants drawn by the State Comptroller of Public Accounts supported only upon vouchers signed by the Secretary of the Retirement System and the Chairman of the State Board of Trustees. A duly attested copy of a resolution of the State Board of Trustees designating such persons shall be filed with said Comptroller as his authority for issuing such warrants.

(4) For the purpose of meeting disbursements for annuities and other payments there may be kept available cash, not exceeding ten (10%) per centum of the total amount in the several funds of the Retirement System, on deposit with the State Treasurer.

(5) No trustee and no employee of the State Board of Trustees shall have any direct or indirect interest in the gains or profits of any investment made by the State Board of Trustees, nor as such receive any pay or emolument for his service other than his designated salary and authorized expenses, except such interest as such person or persons may have in the retirement funds as a member in the Retirement System.

Sec. 8. Method of Financing.

The amount contributed by each teacher to the Retirement Fund shall

be five (5%) per centum of the regular annual compensation paid each member, the amount not to exceed One Hundred Eighty (\$180.00) Dollars per annum. The amount contributed by the State of Texas to the Retirement Fund shall not exceed during any one year five (5%) per centum of salaries of all members, disregarding salaries in amounts in excess of Three Thousand Six Hundred (\$3,600.00) Dollars, provided the total amount contributed by the State during any one (1) year shall equal the total amount contributed during the same year by all members of the Retirement System.

All of the assets of the Retirement System shall be credited according to the purpose for which they are held to one (1) of six (6) funds, namely, the Teacher Saving Fund, the State Accumulation Fund, the Annuity Reserve Fund, the Interest Fund, the Permanent Retirement Fund, and the Expense Fund.

1. The Teacher Saving Fund.

(a) The Teacher Saving Fund shall be a fund in which shall be accumulated regular five (5%) per centum contributions from the compensation of members, including regular interest earnings. Contributions to and payments from the Teacher Saving Fund shall be made as follows:

(b) Each employer shall cause to be deducted from the salary of each member on each and every payroll of such employer for each and every payroll period, five (5%) per centum of his earnable compensation, provided that the sum of the deductions made for a member shall not exceed One Hundred Eighty (\$180.00) Dollars during any one (1) year. Deductions shall begin with the first payroll period of the school year 1937-1938. In determining the amount earnable by a member in a payroll period, the State Board of Trustees may consider the rate of annual compensation payable to such member on the first day of the payroll period as continuing throughout such payroll period, and it may omit deduction from compensation for any period less than a full payroll period if a teacher was not a member on the first day of the payroll period, and to facilitate the making of deductions, it may modify the deduction required of any member by such an amount as shall not exceed one-tenth (1/10) of one (1%) per centum of the annual

compensation upon the basis of which such deduction is to be made.

(c) The deductions provided for herein shall be made notwithstanding that the minimum compensation provided for by law for any member shall be reduced thereby. Every member shall be deemed to consent and agree to the deductions made and provided for herein and shall receipt for his full salary or compensation, and payment of salary or compensation, less said deduction, shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the services rendered by such person during the period covered by such payment, except as to the benefits provided under this Act. The employer shall certify to the State Board of Trustees on each and every payroll, or in such other manner as said Board may prescribe, the amounts to be deducted; and each of said amounts shall be deducted and when deducted shall be paid into said Teacher Saving Fund, and shall be credited, to the individual account of the member from whose compensation said deduction was made.

(d) Interest on members' contributions will be credited annually as of August 31st and will not be allowed for parts of a year. Following the termination of membership in the Retirement System for those members who have been absent from service for five (5) years in any period of six (6) consecutive years, the Teacher Saving Fund account of such members shall be closed and warrants covering the total accumulated contributions sent to them upon the filing of formal application. Until the time of payment of such accumulated contributions, said teacher shall receive no interest on the amount due him under this subsection, and the amount shall be held in a non-interest-bearing account to be set up for such purpose.

(e) Upon the retirement of a member, his accumulated contributions shall be transferred from the Teacher Saving Fund to the Annuity Reserve Fund.

2. State Accumulation Fund.

The State Accumulation Fund shall be the fund in which shall be accumulated all contributions made to the Retirement System by the State of Texas; and from which shall be transferred at retirement of a member to the Annuity Reserve Fund all

annuity and benefit reserves due a member from this Fund, as a condition of his creditable service and membership at retirement. Contributions to and payments from this Fund shall be made as follows:

(a) The State of Texas shall pay annually into the State Accumulation Fund an amount equal to five (5%) per centum of the sum of the payroll compensation of all members of the Retirement System from the source and in the manner prescribed in Subsection (7) of this Section.

(b) The State Accumulation Fund shall be divided for actuarial and administrative purposes, into two (2) ledger accounts as follows: (1) the membership-service account; and (2) the prior-service account. During the first year of the operation of the Retirement System and periodically thereafter as provided for in this Act, the adjustments of rates and formulas used in making calculations of amounts to be transferred on account of prior-service shall be based on studies made by the Actuary so that a balance between liabilities and assets of the two (2) accounts may be maintained and that equalizing reserves for each five-year period or more shall be created and maintained in the prior-service account of this fund.

(c) Upon the retirement of a member, an amount equal to his accumulated contributions in the Teacher Saving Fund shall be transferred from the membership-service account of the State Accumulation Fund to the Annuity Reserve Fund as a membership-service reserve for his retirement allowance; and an additional amount mechanically calculated shall be transferred from the prior-service account of the State Accumulation Fund to the Annuity Reserve Fund at retirement as provided for in Section 5, Subsections (2) and (3), paragraph (c) of this Act.

3. Annuity Reserve Fund.

The Annuity Reserve Fund shall be the fund in which shall be held all reserves for annuities granted and in force and from which shall be paid all annuities and all benefits in lieu of annuities, payable as provided in this Act. This fund shall be made up of transfers as follows:

(a) At the time of service retirement the accumulated contributions of a retiring teacher shall be transferred from the Teacher Saving Fund

to the Annuity Reserve Fund as reserves for annuities purchased by his contributions.

(b) An amount equal to the accumulated contributions of each retiring teacher shall be transferred, upon service retirement, from the State Accumulation Fund as reserves for an additional annuity equal to the annuity purchased by the teacher, as provided for in Section 5, Subsection (2), paragraph (b) of this Act, and in Subsection (a) next above.

(c) Reserves for prior-service annuities granted under this Act shall be transferred from the State Accumulation Fund as calculated in Section 5, Subsection (2), paragraph (c) of this Act, and as provided for in Subsection (2) of this section.

(d) The accumulated contributions of teachers retired for permanent disability shall be transferred from the Teacher Saving Fund to the Annuity Reserve Fund upon retirement.

(e) Reserves for the remainder of the disability allowances shall be transferred from the State Accumulation Fund in the manner prescribed in Section 5, Subsection (4), paragraphs (b) and (c) of this Act, and as provided for in Subsection (2) of this Section.

Transfers from the Annuity Reserve Fund shall be made as follows: Should a beneficiary retired on account of disability be restored to active service or be removed from the disability list for any cause, the unused part of his annuity reserves shall be transferred from the Annuity Reserve Fund to the respective funds as provided for in Section 5, Subsection (5), paragraph (b) of this Act.

4. Interest Fund.

The Interest Fund is hereby created to facilitate the crediting of uniform interest in the various other funds with the exception of the Expense Fund. All income, interest, and dividends derived from the deposits and investments authorized by this Act shall be paid into the Interest Fund. Once each year on August 31st, regular interest shall be allowed and transferred to the other funds, respectively, except the Expense Fund. The State Board of Trustees shall annually transfer to the credit of the interest reserve account of the Permanent Retirement Fund all excess earnings after other funds have been duly credited with regular interest

for the year in the manner provided in this Act.

5. Permanent Retirement Fund.

The Permanent Retirement Fund shall be a fund in which shall be accumulated all gifts, awards, funds, and assets accruing to the Retirement System not specifically required by other funds created by this Act, and to provide a contingent fund out of which special requirements of other funds may be covered. The principal of this Fund is hereby held and dedicated as a perpetual endowment of the Retirement System and shall not be diverted or appropriated to any other cause or purpose. All regular interest credited to this Fund and excess interest earnings transferred to this Fund shall be held as an interest reserve account from which payments shall be made as follows:

(a) The State Board of Trustees shall reserve and transfer such amount as may be required to guarantee regular interest on the mean amounts of investments of the funds created in this Act, except the Expense Fund.

(b) The said Board shall transfer annually from the interest reserves of this Fund to the Expense Fund such amount as is required to provide for the administration and maintenance of the Retirement System, provided the funds are available.

6. Expense Fund.

The Expense Fund shall be the fund from which the expenses of administration and maintenance of the Retirement System shall be paid. Transfers to and payments from this Fund shall be made as follows:

(a) The Executive Secretary shall prepare annually an itemized budget showing the amount required to defray the expenses for the ensuing fiscal year and shall submit the report to the State Board of Trustees for its review and adoption.

(b) Each member shall pay with the first payment to the Teacher Saving Fund each year, and in addition thereto, a sum of One (\$1.00) Dollar, which amount shall be credited to the Expense Fund, said payments for the Expense Fund shall be made to the State Board of Trustees in the same way as payments to the Teacher Saving Fund shall be made, as provided for in this Act.

(c) If the amount estimated to be required to meet the expenses of the State Board of Trustees is in excess

of One (\$1.00) Dollar per contributor for the year, the amount of such excess shall be paid from the interest reserve account of the Permanent Retirement Fund. If in the judgment of the State Board of Trustees, as evidenced by a resolution of that Board recorded in its minutes, the amount in the interest reserve account of the Permanent Retirement Fund exceeds the amount necessary to cover the ordinary requirement of that Fund for a period of five (5) years in the future, the Board may transfer to the Expense Fund such excess amount not exceeding the entire amount required to cover the expenses as estimated for the year.

(d) The sum of Twenty-five Thousand (\$25,000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated from the General Revenue Fund of the State not otherwise appropriated for the purpose of organizing the Retirement System and establishing an office. This sum shall be credited to said Expense Fund.

7. Collection of Contributions.

(1) The collection of members' contributions shall be as follows:

(a) Each employer shall cause to be deducted on each and every payroll of a member for each and every payroll period subsequent to the date of establishment of the Retirement System the contributions payable by such member, as provided in this Act. Each employer shall certify to the treasurer of said employer on each and every payroll a statement as vouchers for the amount so deducted.

(b) The treasurer or proper disbursing officer of each employer on authority from the employer shall make deductions from salaries of teachers as provided in this Act, and shall transmit monthly, or at such time as the State Board of Trustees shall designate, a certified copy of the pay roll, and the amount specified to be deducted shall be paid to the Executive Secretary of the State Board of Trustees, and after making a record of all receipts, the said Board shall pay them to the Treasurer of the State of Texas, and by him be credited to Teacher Retirement Fund and such funds shall be deemed as appropriated for use according to the provisions of this Act. For the purpose of collecting contributions of teachers who are teaching in common school districts, the

county superintendent or ex-officio county superintendent of each county of this State is hereby designated to perform the duties of employer of all common school districts over which he has jurisdiction, and he is hereby authorized and empowered to retain the amounts so deducted from pay rolls of members and have a corresponding amount deducted from any funds available for paying teachers' salaries, and transmit same to the Executive Secretary of the State Board of Trustees as provided for in this Act. Any college or university or other educational institution or agency supported in whole or in part by the State shall have the amount retained or deducted from the funds regularly appropriated by the State for the current maintenance for such educational departments and institutions.

(c) For the purpose of enabling the collection of five (5%) per centum of the salaries of the members of the Retirement System to be made as simple as possible, the State Board of Trustees shall require the secretary or other officer of each employer-board or agency, within thirty (30) days after the beginning of each school year, to make up a list of all teachers in its employ, who are members of the Retirement System, set out their salaries by the month and by the year, make an affidavit to the correctness of this statement, and file the same with the Executive Secretary of the State Board of Trustees of the Teacher Retirement System. If additions to or deductions from this list should be made during the year, such additions or deductions shall likewise be certified under oath to the State Board of Trustees of the Teacher Retirement System.

(d) The State Treasurer shall furnish annually to the State Board of Trustees a sworn statement of the amount of the funds in his custody belonging to the Retirement System. The records of the State Board of Trustees shall be open to public inspection and any member of the Retirement System shall be furnished with a statement of the amount to the credit of the individual account upon written request by such member, provided that the State Board of Trustees shall not be required to answer more than one such request of a member in any one year.

(2) The collection of the State's

contributions shall be made as follows:

(a) On or before the first day of November, next preceding each Regular Session of the Legislature of Texas, the State Board of Trustees shall certify to the State Board of Control for its review and adoption, the amount necessary to pay the contribution of the State of Texas to the Teacher Retirement System for the ensuing biennium. This amount shall be included in the budget of the State, which the Governor submits to the Legislature. Provided, however, that no appropriation shall be made by the Legislature out of the General Funds of the State of Texas for the payment of benefits as herein provided for. Payments can only be made out of special taxes levied as authorized in the Constitutional amendment for the retirement of teachers.

(b) The State Board of Trustees shall certify one-quarter ($\frac{1}{4}$) of the amount so ascertained for each year to the State Comptroller and to the Treasurer of the State on or before the last day of December, February, May, and September. Upon proper resolution by the Board of Trustees the Comptroller shall on or before the first day of January, March, June, and October, draw a warrant or warrants on the Treasurer of the State of Texas for the respective amounts due the State Retirement System. On the receipt of the warrant of the Comptroller, the Treasurer of the State of Texas shall immediately transfer to the State Retirement System the amount due the State Accumulation Fund on account of the State, as provided in this Act.

Sec. 9. Exemptions from Execution. The right of a person to an annuity or a retirement allowance, to the return of contributions, annuity, or retirement allowance itself, any optional benefit or any other right accrued or accruing to any person under the provisions of this Act, and the moneys in the various funds created by this Act, are hereby exempt from any State or municipal tax, and exempt from levy and sale, garnishment, attachment, or any other process whatsoever, and shall be unassignable except as in this Act specifically provided.

Sec. 10. Protection against Fraud. Any person who shall knowingly make any false statement, or shall falsify or permit to be falsified, any record or records of this Retirement System

in any attempt to defraud such System as a result of such act shall be guilty of a felony, and shall be punished as provided for under the laws of Texas. Should any change or error in the records result in any member or beneficiary receiving from the Retirement System more or less than he would have been entitled to receive had the records been correct, the State Board of Trustees shall correct such error, and so far as practicable, shall adjust the payment in such a manner that the actuarial equivalent of the benefit to which such member or beneficiary was correctly entitled shall be paid.

Sec. 11. Surety Bonds. The Treasurer of the State of Texas shall, upon becoming custodian of the Teacher Retirement Fund, give a bond in the sum of Fifty Thousand (\$50,000.00) Dollars; the Executive Secretary shall give bond in the sum of Twenty-five Thousand (\$25,000.00) Dollars, and the State Board of Trustees shall require any other employees and members of the State Board of Trustees to give bond in such amounts as the Board may deem necessary, conditioned that said bonded persons will faithfully execute the duties of the respective offices. All bonds shall be made with a good and solvent surety company, authorized to do business in the State of Texas, said bonds shall be made payable to the State Board of Trustees and shall be approved by it and the Attorney General of Texas. All expense necessary and incident to the execution of such bonds, including premiums thereon, shall be paid by the State Board of Trustees from the Expense Fund.

Sec. 12. Limitation on Membership. No other provision of law in any other statute which provides wholly or partly at the expense of the State of Texas for pensions or retirement benefits for teachers of the said State, their widows, or other dependents, shall apply to members or beneficiaries of the Retirement System established by this Act.

Sec. 13. The Legislature hereby reserves the right to amend any section, paragraph or any and all provisions of this Act as it may from time to time deem necessary.

Sec. 14. If any section or part of any section of this Act is declared to be unconstitutional, the remainder of the Act shall not thereby be invali-

dated. All provisions of the law inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

Sec. 15. The importance of this measure to the people thereof, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be, and the same is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

On motion of Mr. Tennyson, the report was adopted by the following vote:

Yeas—122

Adkins	Hoskins
Alexander	Hull
Alsup	Hyder
Amos	James
Bates	Johnson of Ellis
Beckworth	Johnson
Bell	of Tarrant
Blankenship	Jones of Atascosa
Boethel	Jones of Angelina
Bond	Jones of Falls
Boyer	Jones of Wise
Bradbury	Keefe
Bradford	Kelt
Bridgers	Kern
Brown	King
Burton	Knetsch
Callan	Langdon
Carssow	Lankford
Cauthorn	Lanning
Celaya	Leonard
Cleveland	Leyendecker
Colquitt	Little
Davis of Haskell	Loggins
Davis of Jasper	London
Davisson	Lucas
of Eastland	Mauritz
Deglandon	Mays
Dickison	McConnell
Dollins	McDonald
England	McKee
Farmer	Metcalf
Felty	Moffett
Fielden	Monkhouse
Fuchs	Morris
Gibson	Morse
Graves	Newton
Hamilton	Nicholson
Hankamer	Oliver
Hanna	Palmer
Harbin	Patterson of Mills
Harris of Archer	Patterson
Harris of Dallas	of Travis
Harris of Dickens	Petsch
Hartzog	Pope
Herzik	Powell
Holland	Quinn

Ragsdale	Smith of Tarrant
Reader	Stinson
Reed of Bowie	Stocks
Reed of Dallas	Talbert
Rhodes	Tarwater
Riddle	Tennant
Ross	Tennyson
Schuenemann	Thornberry
Settle	Thornton
Sewell	Vale
Sharpe	Waggoner
Shell	Walker
Simpson	Weldon
Skaggs	Westbrook
Smith of Hopkins	Winfree
Smith	Wood
of Matagorda	Worley

Nays—5

Broadfoot	Keith
Fox	Kenyon
Hardin	

Absent

Cathey	Jackson
Davison of Fisher	Leath
Dean	McCracken
Harper	McFarland
Harrell	McKinney
Heflin	Stevenson
Howard	

Absent—Excused

Baker	Prescott
Cagle	Roark
Derden	Russell
Huddleston	Rutta
Mann	

EXTENDING TIME OF CON-
FERENCES ON HOUSE
BILL NO. 5

Mr. Keefe moved that the conference committee, on House Bill No. 5 be granted an extension of time until 11:30 o'clock a. m., tomorrow, for deliberation on the bill.

The motion prevailed.

CONFERENCE COMMITTEE RE-
PORT ON HOUSE BILL NO. 24

Mr. Wood, Chairman, submitted the following Conference Committee Report on House Bill No. 24:

Committee Room,

Austin, Texas, May 20, 1937.

Hon. Walter F. Woodul, President of the Senate.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed to adjust the dif-

ferences between the two Houses on House Bill No. 24, have had the same under consideration and beg to recommend that the bill pass in the form hereto attached.

Respectfully submitted,

DAVIS,
STONE,
ISELL,
WOODRUFF.

On the part of the Senate.

WOOD,
MORRIS,
FUCHS,

On the part of the House.

H. B. No. 24,

A BILL

To Be Entitled

An Act to be known as the "State Soil Conservation Act"; reciting the legislative determination and declaration of policy; describing the consequences of soil erosion and the depletion of the fertility of the soil; reciting appropriate corrective methods; defining certain words and phrases used in this Act; establishing the State Soil Conservation Board; establishing six (6) State Districts from which members of the State Soil Conservation Board are to be elected; defining the powers and duties of said members acting through and for said State Soil Conservation Board; providing for seven (7) ex-officio members; providing for the establishing of County Soil Conservation Committees; defining the duties of the members thereof; providing for the creation of Soil Conservation Districts; providing the manner of selection of the Directors of said Soil Conservation Districts; defining the powers and duties of said Directors acting for and through such Soil Conservation Districts; providing for cooperation between State and District agencies; providing that the State Treasurer shall act as the Treasurer for the State Soil Conservation Board; prescribing the duties of the State Treasurer and County Treasurer or Treasurers with reference to funds of the Board; providing for the exemption of landowners upon advice in writing of their desire to be exempted; providing for the diversion and granting by the State Soil Conservation Board for

use of the State Soil Conservation Board and County Soil Conservation Districts certain taxes levied upon property within the State; prescribing the method by which said taxes shall be diverted; making any prior diversion of taxes by a River Authority superior to any grant by this Act; providing the proper method of enforcement of such programs and regulations as may be promulgated by the several Districts described herein; providing method by which Soil Conservation District may be discontinued; repealing Senate Bill No. 227, Regular Session, Forty-fourth Legislature, Page 504, providing that House Bill No. 13, Acts of the Forty-second Legislature, Regular Session and House Bill No. 978, Regular Session, Forty-fourth Legislature, shall be specifically preserved; providing that this Act shall be supplementary and complementary to all present laws, except those specifically repealed by this Act; providing this Act shall not impair nor impinge upon the rights, powers, and functions of certain Districts; providing separability clause; and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. Short Title. This Act may be known and cited as the State Soil Conservation Law.

Sec. 2. Legislative Determinations and Declaration of Policy. It is hereby declared, as a matter of Legislative determination:

A. The condition. That the farm and grazing lands of the State of Texas are among the basic assets of the State and that the preservation of these lands is necessary to protect and promote the health, safety, and general welfare of its people; that improper land-use practices have caused and have contributed to, and are causing and contributing to, a progressively more serious erosion of the farm and grazing lands of this State by wind and water; that the breaking of natural grass, plant, and forest cover has interfered with the natural factors of soil stabilization, causing loosening of the soil and exhaustion of humus, and developing a soil condition that favors erosion; that the topsoil is being blown and washed out of fields and

pastures; that there has been an accelerated washing of sloping fields; that these processes of erosion by wind and water speed up with removal of absorptive topsoil; that failure by any occupier of land to conserve the soil and control erosion upon such land causes a washing and blowing of soil and water from such lands onto other lands and makes the conservation of soil and control of erosion on such other lands difficult or impossible.

B. The consequences. That the consequences of such soil erosion in the form of soil-blowing and soil-washing are the silting and sedimentation of stream channels, reservoirs, dams, ditches, and harbors; the loss of fertile soil material in dust storms; the piling up of soil on lower slopes, and its deposit over alluvial plains; the reduction in productivity or outright ruin of rich bottom lands by overwash of poor subsoil material, sand, and gravel swept out of the hills; deterioration of soil and its fertility, deterioration of crops grown thereon, and declining acre yields despite development of scientific processes for increasing such yields; loss of soil and water which causes destruction of food and cover for wild life; a blowing and washing of soil into streams which silts over spawning beds, and destroys water plants, diminishing the food supply of fish; a diminishing of the underground water reserve, which causes water shortages, intensifies periods of drought, and causes crop failures; an increase in the speed and volume of rainfall run-off, causing severe and increasing floods, which bring suffering, disease, and death; impoverishment of families attempting to farm eroding and eroded lands; damage to roads, highways, railways, farm buildings, and other property from floods and from dust storms; the losses in navigation, hydro-electric power, municipal water supply, irrigation developments, farming and grazing.

C. The appropriate corrective methods. That to conserve soil resources and control and prevent soil erosion, it is necessary that land-use practices contributing to soil waste and soil erosion may be discouraged and discontinued, and appropriate soil conserving land-use practices be adopted and carried out;

that among the procedures necessary for widespread adoption, are the carrying on of engineering operations such as the construction of terraces, terrace outlets, check-dams, dikes, ponds, ditches, and the like; the utilization of strip cropping, lister furrowing, contour cultivating, and contour furrowing; land irrigation; seeding and planting of waste, sloping, abandoned, or eroded lands to water-conserving and erosion-preventing plants, trees, and grasses; forestation and reforestation; rotation of crops; soil stabilization with trees, grasses, legumes, and other thick growing, soil holding crops; retardation of run-off by increasing absorption of rainfall; and retirement from cultivation of steep, highly erosive areas and areas now badly gullied or otherwise eroded.

D. Declaration of policy. It is hereby declared to be the policy of the Legislature to provide for the conservation of soil and soil resources of this State, and for the control and prevention of soil erosion, and thereby to preserve natural resources, control floods, prevent impairment of dams and reservoirs, assist in maintaining the navigability of rivers and harbors, preserve wild life, protect the tax base, protect public lands, and protect and promote the health, safety, and general welfare of the people of this State, and thus to carry out the mandate expressed in Article XVI Section 59a, of the Constitution of Texas.

It is further declared as a matter of Legislative intent and determination of policy that the agencies created, powers conferred and the activities contemplated in this Act for the conservation of soil and water resources and for the reduction of public damage resulting from failure to conserve such natural resources, shall be supplementary and complementary to the work of various river and other authorities now established in this State and to other State officers, agencies, and Districts engaged in closely related projects, and shall not be duplicative thereof nor conflicting therewith.

Sec. 3. Definitions. Wherever used or referred to in this Act, unless a different meaning clearly appears in the context:

1. "Board" means the State Soil Conservation Board created under

the terms of this Act in Section IV with the powers and duties set forth herein.

2. "District" or "Districts" means the County Soil Conservation Districts created under the terms of this Act in Section V as governmental subdivisions of this State with powers, duties and restrictions, as set forth herein.

3. "District Committees" means the Committees created in Section IV subsections A and B of this Act for the purpose of electing the six (6) members of the State Soil Conservation Board.

4. "Directors" means the members of the Board of Directors of the County Soil Conservation Districts.

5. "State" means the State of Texas.

6. "Agency of this State" includes the government of this State and any other subdivisions, agency, or instrumentality corporate or otherwise, of the government of this State.

7. "United States" or "Agencies of the United States" includes the United States of America, and any agency or instrumentality corporate or otherwise of the United States of America.

8. "Landowner", or "owner of land", includes any persons who holds legal or equitable title to any lands lying within a Soil Conservation District organized under the provisions of this Act, and who is in actual possession of such lands, and who is a duly qualified voter within such District.

9. "Due notice" means notice published at least twice, with an interval of at least seven (7) days between the two (2) publication dates, in a newspaper or other publication of general circulation within the appropriate area, or if no such publication of general circulation be available, by posting at a reasonable number of conspicuous places within the appropriate area, such posting to include, where possible, posting at public places where it may be customary to post notices concerning county or municipal affairs, generally. At any hearing held pursuant to such notice, at the time and place designated in such notice, adjournment may be made from time to time without the necessity of renewing such notice for such adjourned dates.

Section 4. State Soil Conservation Board. A. There is hereby estab-

lished to serve as an agency of the State and to perform the functions conferred on it in this Act, the State Soil Conservation Board. The board shall consist of six (6) members. The following shall serve ex-officio, without vote, as members of the Board: the President of Agricultural and Mechanical College of Texas, the President of Texas Technological College, the Director of Vocational Agriculture of Texas, the State Commissioner of Agriculture, State Forester, the State Reclamation Engineer, and the State Coordinator of Soil Conservation. The six (6) elected members of the Board shall be selected as follows: The State of Texas is hereby divided into six (6) State Districts for the purpose of selecting six (6) members of the State Soil Conservation Board. These six (6) State Districts shall be composed as follows:

State District No. 1, comprising forty-four (44) counties; namely: Dallam, Sherman, Hansford, Ochiltree, Lipscomb, Hartley, Moore, Hutchinson, Roberts, Hemphill, Oldham, Potter, Carson, Gray, Wheeler, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, ~~P a r m e r~~, Castro, Swisher, Briscoe, Hall, Childress, Bailey, Lamb, Hale, Floyd, Motley, Cottle, Cochran, Hockley, Lubbock, Crosby, Dickens, King, Yoakum, Terry, Lynn, Garza, Kent, and Stonewall.

State District No. 2, comprising 42 counties; namely: Gaines, Dawson, Borden, Scurry, Fisher, Andrews, Martin, Howard, Mitchell, Nolan, Loving, Winkler, Ector, Midland, Glasscock, Sterling, Coke, El Paso, Hudspeth, Culberson, Reeves, Ward, Crane, Upton, Reagan, Irion, Tom Green, Concho, Jeff Davis, Pecos, Crockett, Schleicher, Menard, Presidio, Brewster, Terrell, Sutton, Kimble, Val Verde, Edwards, Kinney, and Maverick.

State District No. 3, comprising forty two (42) counties; namely: Kerr, Kendall, Comal, Guadalupe, Real, Bandera, Gonzales, Lavaca, Uvalde, Medina, Bexar, Wilson, Dewitt, Jackson, Zavala, Frio, Atascosa, Karnes, Victoria, Goliad, Dimmit, LaSalle, McMullen, Live Oak, Bee, Refugio, Calhoun, San Patricio, Aransas, Webb, Duval, Jim Wells, Nueces, Kleberg, Zapata, Jim Hogg, Brooks, Kenedy, Starr, Hidalgo, Willacy, and Cameron.

State District No. 4, comprising

forty-two (42) counties; namely: Mills, Hamilton, Coryell, McLennan, Limestone, Freestone, Leon, Falls, McCulloch, San Saba, Lampasas, Bell, Robertson, Madison, Brazos, Montgomery, Lee, Travis, Blanco, Gillespie, Hays, Bastrop, Fayette, Washington, Austin, Waller, Colorado, Fort Bend, Wharton, Brazoria, Harris, Galveston, Caldwell, and Matagorda.

State District No. 5, comprising forty-two (42) counties; namely: Fannin, Lamar, Red River, Bowie, Delta, Hunt, Hopkins, Franklin, Titus, Camp, Morris, Cass, Rains, Wood, Upshur, Marion, Harrison, Van Zandt, Gregg, Smith, Henderson, Rusk, Panola, Anderson, Cherokee, Shelby, Houston, Nacogdoches, San Augustine, Sabine, Angelina, Trinity, Polk, Tyler, Jasper, Newton, San Jacinto, Hardin, Orange, Liberty, Jefferson, and Chambers.

State District No. 6, comprising forty-two (42) counties; namely: Hardeman, Foard, Wilbarger, Wichita, Clay, Knox, Baylor, Archer, Montague, Cooke, Grayson, Haskell, Throckmorton, Young, Jack, Wise, Denton, Collins, Jones, Shackelford, Stephens, Palo Pinto, Parker, Tarrant, Dallas, Rockwall, Kaufman, Taylor, Callahan, Eastland, Erath, Somervell, Hood, Johnson, Ellis, Runnels, Coleman, Brown, Comanche, Bosque, Hill, Navarro.

B. The Commissioners Court of each county within thirty (30) days after this Act becomes effective, shall call a meeting or convention in each precinct, of the resident landowning taxpayers who are qualified voters in such precinct, and who are actively engaged in the business of farming or animal husbandry, at a place and time for each precinct to be designated by the Commissioners Court for the purpose of electing a member of the County Soil Conservation Committee. A majority vote of those present at such meeting, who are resident landowning taxpayers and qualified voters in the precinct, who are actively engaged in the business of farming or animal husbandry, shall be necessary to elect such member of the County Soil Conservation Committee. Each member so elected shall be a resident landowner, legally qualified voter of the precinct from which he is elected, and shall be actively engaged in the business of farming or animal husbandry.

The Commissioner of each precinct shall act as Chairman of the meeting in such precinct. If said Commissioner is absent, those present who are resident landowning taxpayers and qualified voters of such precinct shall elect an acting Chairman from among their number who shall preside at said meeting.

The name of the member so elected shall be certified to the County Judge who shall, within five (5) days, officially notify the persons so elected that he has been elected as a member of such Committee.

The County Soil Conservation Committee shall select one of its members as Chairman, who shall have authority to cast an additional vote in case of a tie and shall be charged with the usual and customary duties of a presiding officer. A majority of the members shall constitute a quorum and the concurrence of a majority of the members in any matter within their jurisdiction shall be required for final determination.

Vacancies upon the County Soil Conservation Committee shall be filled for an unexpired term, or for a full term, by the same manner in which the retiring members were respectively selected.

Members of a County Soil Conservation Committee shall receive no compensation for their services except the delegate to the District Convention who shall receive the amount incurred as necessary expenses and Four Dollars (\$4) per day not to exceed (2) days to be paid by the State Soil Conservation Board created herein.

The first County Soil Conservation Committee elected in each county shall be elected to serve as follows:

1. Precincts One (1) and Three (3) in each county shall elect a Committee member to serve for a period ending the first Tuesday in January, 1939, or until their successors are elected and have qualified. Biennially thereafter on the first Tuesday in January new members shall be elected as hereinabove provided and shall serve for a term of two (2) years.

2. Precincts Two (2) and Four (4) in each county shall each elect a Committee member to serve for a period ending the first Tuesday in January, 1940, or until their successors are elected and have quali-

fied. Biennially thereafter on the first Tuesday in January new members shall be elected as hereinabove provided and shall serve for a term of two (2) years.

C. The County Soil Conservation Committee in each county shall elect one of its number as a delegate to attend the State District Conservation Convention which shall be held within each State District, at a time and place designated by the Governor of the State of Texas, said date to be not later than forty-five (45) days after the effective date of this Act, and each State District Convention shall elect, by a majority vote a member of the State Soil Conservation Board. Each member so elected shall be a resident landowner and legally qualified voter of the district from which he is elected and shall be actively engaged in the business of farming or animal husbandry. A majority of all county delegates elected to the State District Convention shall constitute a quorum.

State Districts One (1), Three (3) and Five (5) shall each elect a Board Member to serve on the State Soil Conservation Board for a period ending the first Tuesday in February, 1939, or until their successors are elected and have qualified. Biennially thereafter on the first Tuesday in February New Board Members shall be elected as hereinabove provided and shall serve for a term of Two (2) years.

State Districts Two (2), Four and Six (6) shall each elect a Board Member to serve on the State Soil Conservation Board for a period ending the first Tuesday in February, 1940, or until their successors are elected and have qualified. Biennially thereafter on the first Tuesday in February, new members shall be elected to serve for a term of two (2) years or until their successors are elected and have qualified.

D. The State Soil Conservation Board shall meet to organize at a time and place to be designated by the Governor of Texas, within ten (10) days following the election of such members, and shall thereafter meet from time to time as necessary. Each Member of the State Soil Conservation Board shall take the State Constitutional Oath of Office, and said State Soil Conservation Board shall designate one of its elective

members to serve as Chairman and may from time to time change such designation.

Vacancies upon such Board shall be filled for an unexpired term or for a full term, by the same manner in which the retiring members were respectively elected. Elective members of the Board may receive compensation for their services on the Board, not to exceed the sum of Ten Dollars (\$10.00) per diem for each day of actual service rendered, but said members shall be entitled to expenses, including traveling expenses, necessarily incurred in the discharge of their duties as members of the Board.

E. A majority of the elective members of the State Soil Conservation Board shall constitute a quorum and the concurrence of a majority of the elective members in any matter within their duties shall be required for its determination. The State Board shall keep a complete and accurate record of all its official actions, hold such public hearings at such times and places within the State as may be determined by the Board, and shall promulgate such rules and regulations as may be necessary for the performance of the functions of said Board under the provisions of this Act. The Board shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds or property.

F. The State Soil Conservation Board may employ an administrative officer and such technical experts and such other agents and employees, permanent and temporary, as it may require, and shall determine their qualifications, duties, and compensation; said compensation, however, to be in line with that paid for similar services in other departments of the State; provided that the total amount to be spent by the State Soil Conservation Board for salaries and administrative expenses shall not exceed five (5%) per cent of the moneys received by said Board. The Board may call upon the Attorney General of the State for such legal services as it may require. It shall have authority to delegate to its chairman, to one or more of its members, or to one or more agents or employees, such powers and duties as it may deem proper. It shall have authority to locate its office at a point to be selected by the Board. It shall have authority to acquire and pay for any space rental, personal property,

and incidental service, or transportation, or means of communication reasonably required to forward the objects of this Act. Upon request of the Board, for the purpose of carrying out any of its functions, the supervising officer of any State agency, or of any State institution of learning, shall, in so far as may be possible, under available appropriations, and having due regard to the needs of the agency to which the request is directed, assign, or detail to the Board members of the staff or personnel of such agency or institution of learning, and make such special reports, surveys, or studies as the Board may request.

G. In addition to the duties and powers hereinafter conferred upon the State Soil Conservation Board, it shall have the following duties and powers:

(1) To offer any such assistance as may be appropriate to the Directors of Soil Conservation Districts, organized as provided hereinafter, in the carrying out of any of their powers and programs.

(2) To keep the directors of each of the several Districts organized under the provisions of this Act informed of the activities and experience of all other Districts organized hereunder, and to facilitate an interchange of advice and experience between such Districts and co-operation between them.

(3) To co-ordinate the programs of the several Soil Conservation Districts organized hereunder so far as this may be done by advice and consultation.

(4) To secure the co-operation and assistance of the United States and any of its agencies, and of agencies of this State, in the work of such Districts.

(5) To disseminate information throughout the State concerning the activities and programs of the Soil Conservation Districts organized hereunder, and to encourage the formation of such Districts in areas where their organization is desirable.

H. The State Treasurer's Official Bond shall be liable for all moneys and securities of the State Board, and he shall have the care and custody of all funds and securities of the State Board in the manner as is now provided by law. Any funds coming into the hands of the Treasurer of this State, as hereinafter provided, shall be by him credited to a special fund to be known as the State Soil Conserva-

tion Fund and the moneys hereafter deposited or credited in such Fund are hereby appropriated to the use and benefit of the State Soil Conservation Board, as may be by said Board used in compliance with this Act. The Board shall provide and furnish an annual audit by a Certified Public Accountant and a report to the Governor of the State.

Section 5. County Soil Conservation District.

A. The creation and incorporation of County Soil Conservation Districts co-extensive with the boundaries of any county in this State is hereby authorized under and by virtue of Section 59, into such a Conservation District when the qualified tax paying voters of such county voting at an election to be held for such purpose by a majority vote sanction and authorize the creation and incorporation of such district. The creation of such districts is deemed essential to the accomplishment of the purpose of the above mentioned sections of the Constitution and when any such district is created, as herein provided, the same shall be a governmental agency and body politic and corporate with the powers of government and with authority to exercise the rights, privileges and functions as are now conferred by this Article. Such a district shall bear the name of the county creating same and shall be so designated.

B. When petitioned by not less than fifty (50) duly qualified tax paying voters of such county the Commissioners' Court of any county in such county in this State shall call an election to be held throughout such county to determine whether a majority of the legally qualified land owning voters of such county who are actively engaged in the business of farming or animal husbandry of such county favor the creation and incorporation of the area of such county into a Soil Conservation District. The procedure for holding and declaring the result of such an election shall be in substantial compliance with the requirements for elections to vote bonds for public improvements. All persons who are legally qualified landowning voters who are actively engaged in the business of farming or animal husbandry shall be entitled to vote at such election. Each voter favoring the creation and incorporation of such district shall

have written or printed on his ballot,

"For the creation and incorporation of the _____ County Soil Conservation District," and each voter who opposes the creation of such district shall have written or printed on his ballot,

"Against the creation and incorporation of the _____ County Soil Conservation District."

C. When the returns of the election in Section B have been canvassed by the Commissioners' Court the result of such election shall be declared by order entered on the minutes of said court, and if the result is in favor of the creation and incorporation of the District, the County Judge shall issue an order declaring such district to be created and incorporated and such order shall also be entered in the Minutes of the Commissioners' Court and a certified copy thereof recorded in the deed records of the county; thereupon the district shall be deemed to be legally created and incorporated with all rights, powers, authority and privileges herein conferred and authorized by Section 59 of Article XVI of the Constitution, for the purpose of conserving and reclaiming the soil in such district and for soil and conservation and flood control purposes in accordance with the provisions of this Act.

D. When a Soil Conservation District is created the County Soil Conservation Committee referred to in Section 4 of this Act shall thereupon become the governing body of such District and shall be known and designated as directors of said District. Said directors shall elect one of their own number as chairman, with authority to vote in case of a tie and charged with the usual and customary duties as a presiding officer. A majority of the directors shall constitute a quorum and the concurrence of a majority of the directors present in any matter within their duties shall be required for final determination. Said directors may receive compensation for their services not to exceed Four (\$4) Dollars each day they shall be in actual attendance upon the duties of the office within the District and not to exceed twenty (20) days in any one calendar year, and not to exceed Four (\$4) Dollars and necessary expenses incurred for services other than within the District; said compensation for

services outside the District to be approved by the State Board.

E. The County Treasurer shall serve as a treasurer of the District and the County Clerk as clerk of the governing body. The treasurer shall have the care and custody of all funds, obligations and securities of the district and shall disburse and dispose of same in compliance with the orders of the governing body. The clerk shall keep an accurate record of all orders, minutes and resolutions of the governing body and shall countersign all vouchers and documents and perform such other acts as may be directed by the governing body. The duties herein imposed upon the County Judge and Commissioners, the County Clerk and Treasurer shall be ex-officio duties under and by virtue of their tenure of office as county officials.

F. The governing body of the County Soil Conservation District may utilize the services of the County Agricultural Agent and the facilities of the County Extension Service Office in carrying out the powers, privileges and functions incident to the soil conservation program within the County Soil Conservation District.

Section 6. Powers of Districts and Directors.

A Soil Conservation District organized under the provisions of this Act shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such District, and the directors thereof, shall have the following powers, in addition to others granted in other sections of this Act:

(1) To carry out preventative and control measures within the District including, but not limited to, engineering operations, methods of cultivation, the growing of vegetation, changes in use of land, and the measures listed in Subsection C of Section 2 of this Act, on lands owned or controlled by this State or any of its agencies, with the cooperation of the agency administering and having jurisdiction thereof, and on any other lands within the District upon obtaining the consent of the owner of such lands or the necessary rights or interests in such lands;

(2) To cooperate, or enter into agreements with, and within the limits of appropriations duly made available to it by law, to furnish financial or other aid to any agency, governmental or otherwise, or any owner of lands

within the District, in the carrying on of erosion control and prevention operations within the District, subject to such conditions as the directors may deem necessary to advance the purposes of this Act;

(3) To obtain options upon and to acquire, by purchase, exchange, lease, gift, bequest, devise, or otherwise, any property, real or personal, or rights or interests therein; to maintain, administer, and improve any properties acquired, to receive income from such properties and to expend such income in carrying out the purposes and provisions of this Act; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and the provisions of this Act;

(4) To make available, on such terms as it shall prescribe, to landowners within the District, agricultural and engineering machinery and equipment, fertilizer, seeds, and seedlings and such other material or equipment, as will assist such landowners to carry on operations upon their lands for the conservation of soil resources and for the prevention and control of soil erosion;

(5) To construct, improve, and maintain such structures as may be necessary or convenient for the performance of any of the operations authorized in this Act;

(6) To develop comprehensive plans for the conservation of soil resources and for the control and prevention of soil erosion within the District, which plans shall specify in such detail as may be possible, the acts, procedures, performances and avoidances which are necessary or desirable for the effectuation of such plans, including the specification of engineering operations, methods of cultivation, the growing of vegetation, cropping programs, tillage practices, and changes in use of land; and to publish such plans and information and bring them to the attention of owners of lands within the District;

(7) To take over, by purchase, lease, or otherwise, and to administer, any soil-conservation, erosion-control, or erosion-prevention project located within its boundaries undertaken by the United States or any of its agencies, or by this State or any of its agencies; to manage, as agent of the United States or any of its agencies, or of this State or any of its agencies, any soil-conservation, erosion-control,

or erosion-prevention project within its boundaries; to act as agencies, in connection with the acquisition, construction, operation, or administration of any soil-conservation, erosion control, or erosion-prevention project within its boundaries; to accept donations, gifts, and contributions in money, services, materials, or otherwise, from the United States or any of its agencies, or from this State or any of its agencies, and to use or expend such moneys, services, materials, or other contributions in carrying on its operations;

(8) To sue and be sued in the name of the District; to have a seal, which seal shall be judicially noticed; to have perpetual succession unless terminated as hereinafter provided; to make and execute contracts and other instruments, necessary or convenient to the exercise of its powers; to make, and from time to time amend and repeal, rules and regulations not inconsistent with this Act; to carry into effect its purposes and powers;

(9) To enter into contracts and agreements with the County Commissioners of any county for the use of road machinery or other county equipment that may be available for use in soil conservation work;

(10) As a condition to the extending of any benefits under this Act to, or the performance of work upon, any lands not owned or controlled by this State or any of its agencies, the directors may require contributions in money, services, materials, or otherwise to any operations conferring such benefits, and may require landowners to enter into and perform such agreements or covenants as to the permanent use of such land as will tend to prevent or control erosion thereon;

(11) No provisions with respect to the acquisition, operation, or disposition of property by other public bodies shall be applicable to a District organized hereunder the Legislature shall specifically so state.

Section 7. Adoption of Land-Use Regulations. The directors of any District shall have authority to formulate regulations governing the use of lands within the District in the interest of conserving soil and soil resources and preventing and controlling soil erosion. In formulating such regulations and methods, the directors of any District may provide therefor on any one or all of the watersheds within the Dis-

trict taking each such watershed as a whole if found desirable and feasible.

All provisions hereinafter enacted relative to the adoption of land use regulations, shall apply to watershed soil conservation projects. If two or more contiguous counties and not to exceed three counties through which a common watershed area extends, each adopt similar watershed soil conservation projects on said common watershed, the directors of such county conservation districts may co-operate, as provided in Section 9 hereof, by mutual agreements between the directors of the different county districts and put in force and operation such uniform soil conservation projects as may be agreed upon. The directors may conduct such public meetings and public hearings upon tentative regulations as may be necessary to assist them in this work. The directors shall not have authority to enact such lands-use regulations into law until after they have caused due notices to be given of their intention to conduct an election for submission of such regulations to the owners of lands lying within the boundaries of the District for their indication of approval or disapproval of such proposed regulations, and until after the directors have considered the result of such election. The proposed regulations shall be embodied in a proposed ordinance. Copies of such proposed ordinance shall be available for inspection during the period between publication of such notice and the date of the election. The notices of the election shall recite the contents of such proposed ordinance, or shall state where copies of such proposed ordinance may be examined. The question shall be submitted by ballots, upon which the words "For approval of proposed ordinance No. _____, prescribing land-use regulations for conservation of soil and prevention of erosion" and "Against approval of proposed ordinance No. _____, prescribing land-use regulations for conservation of soil and prevention of erosion" shall appear. The Directors shall supervise such election, shall prescribe appropriate regulations governing the conduct thereof, and shall publish the result thereof. All resident landowners who are qualified voters and who are actively engaged in the business of farming or animal husbandry within the District shall be eligible to

vote in such election, said voters shall vote in the commissioners precinct where they actually reside. Only such landowners shall be eligible to vote. No informalities in the conduct of such election or in any matters relating thereto shall invalidate said election or the result thereof if notice thereof shall have been given substantially as herein provided and said election shall have been fairly conducted.

The directors shall not have authority to enact such proposed ordinance into law unless at least two-thirds of the legal votes cast in such election shall have been cast for approval of said proposed ordinance. The approval of the proposed ordinance by two-thirds of the legal votes cast in such election shall not be deemed to require the directors to enact such proposed ordinance into law. Land-use regulations prescribed in ordinances adopted pursuant to the provisions of this Section by the directors of any District shall have the force and effect of law in the said District and shall be binding and obligatory upon all owners of lands within such District.

Any owner of land within such District may at any time file a petition with the directors asking that any or all of the land-use regulations prescribed in any ordinance adopted by the directors under the provisions of this Section shall be amended, supplemented, or repealed. Land-use regulations prescribed in any ordinance adopted pursuant to the provisions of this Section shall not be amended, supplemented, or repealed except in accordance with the procedure prescribed in this Section for adoption of land-use regulations. Elections on adoption, amendment, supplementation, or repeal of land-use regulations shall not be held more often than once in six (6) months.

The regulations to be adopted by the directors under the provisions of this Section may include:

1. Provisions requiring the carrying out of necessary engineering operations, including the construction of terraces, terrace outlets, check dams, dikes, ponds, ditches, and other necessary structures;

2. Provisions requiring observance of particular methods of cultivation including contour cultivating, contour furrowing, lister furrowing, sowing, planting, strip cropping, seed-

ing, and planting of lands to water-conserving and erosion-preventing plants, trees and grasses, forestation, and reforestation;

3. Specifications of cropping programs and tillage practices to be observed;

4. Provisions requiring the retirement from cultivation of highly erosive areas or of areas on which erosion may not be adequately controlled if cultivation is carried on;

5. Provisions for such other means, measures, operations and programs as may assist conservation of soil resources and prevent or control soil erosion in the District, having due regard to the legislative findings set forth in Section 2 of this Act.

The regulations shall be uniform throughout the territory comprised within the District, except that the directors may classify the lands within the District with reference to such factors as soil type, degree of slope, degree of erosion threatened or existing, cropping and tillage practices in use, and other relevant factors, and may provide regulations varying with the type or class of land affected, but uniform as to all lands within each class or type. Copies of land-use regulations adopted under the provisions of this Section shall be printed and made available to all owners and occupiers of lands lying within the District. Provided further, that if any landowner within said District, after the adoption of such ordinance or ordinances and before he has received or accepted any benefits thereunder, does not wish to participate in the benefits available under the provisions of this Act, he shall so advise the District directors in writing. Upon receipt of such written notice the District directors shall exempt said landowner from all the provisions of this Act.

Sec. 8. Performance of work under the Regulations by the Directors. The directors shall have authority to go upon any lands within the District to determine whether land-use regulations adopted under the provisions of Section 7 of this Act are being observed.

Where the directors of any District shall find that any of the provisions of land-use regulations prescribed in an ordinance adopted in accordance with the provisions of Section 7 hereof are not being observed on particular lands, and that such

non-observance tends to increase erosion on such lands and is interfering with the prevention of control of erosion on other lands within the District, the director may present to any court of competent jurisdiction a petition, duly verified, setting forth the adoption of the ordinance prescribing land-use regulations, the failure of the defendant landowner to observe such regulations, and to perform particular work, operations, or avoidances as required thereby, and that such nonobservance tends to increase erosion on such lands and is interfering with the prevention or control of erosion on other lands within the District, and praying the court to require the defendant to perform the work, operations, or avoidances within a reasonable time and to order that if the defendant shall fail so to perform the directors may go on the land, perform the work or other operations or otherwise bring the conditions of such lands into conformity with the requirements of such regulations, and recover the costs and expenses thereof, with interest, from the owner of such land. Upon the presentation of such petition, the court shall cause process to be issued against the defendant, and shall hear the case. If it shall appear to the Court that testimony is necessary for the proper disposition of the matter, it may take evidence, or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may dismiss the petition; or it may require the defendant to perform the work, operations, or avoidances, and may provide that upon the failure of the defendant to initiate such performance within the time specified in the order of the court, and to prosecute the same to completion with reasonable diligence, the directors may enter upon the lands involved and perform the work or operations or otherwise bring the condition of such lands into conformity with the requirements of the regulations and recover the costs and expenses thereof from the owner of such lands.

The court shall retain jurisdiction of the case until after the work has been completed. Upon the completion of such work pursuant to such

order of the court the directors may file a petition with the court, a copy of which shall be served upon the defendant in the case, stating the costs and expenses sustained by them in the performance of the work and praying judgment therefor with interest. The court shall have jurisdiction to enter judgment for the amount of such costs and expenses, together with the costs of suit, including a reasonable attorney's fee to be fixed by the court. Such judgments shall be collected in the same manner as that provided for the collection of assessments in the Wind Erosion Conservation Districts created by authority of House Bill No. 978, Acts of the Regular Session of the Forty-fourth Legislature of Texas.

Section 9. Cooperation Between Districts. Two or more Districts organized under this Act may cooperate with another or other Districts and with cities and incorporated towns and the State Soil Conservation Board in dealing with a common problem arising under the provisions of this Act. Such programs and projects shall be handled by mutual agreements entered into by and between the State Soil Conservation Board and the County Soil Conservation District or Districts and any city or incorporated town that may be mutually interested in connection therewith.

Section 10. State Agencies to Cooperate. Agencies of this State which shall have jurisdiction over, or be charged with the administration of, any State-owned lands, and of any county or other governmental subdivision of the State, which shall have jurisdiction over, or be charged with the administration of, any county-owned or other publicly owned lands, lying within the boundaries of any District organized hereunder shall cooperate to the fullest extent with the directors of such districts in the effectuation of programs and operations undertaken by the directors under the provision of this Act. The directors of such districts shall be given free access to enter and perform work upon such publicly owned lands. The provisions of land-use regulations adopted pursuant to Section 7 of this Act shall have the force and effect of law over all such publicly owned lands and shall be in all respects observed by the agencies administering such lands.

Section 11. Discontinuance of Districts. At any time after five (5)

years after the organization of a district under provisions of this Act when petitioned by not less than fifty (50) duly qualified tax paying voters the Commissioners Court of any county in this state shall call an election to be held throughout such county to determine whether a majority of the legally qualified property taxpaying voters of such county favor a discontinuance of the area of such county as a Soil Conservation District. The procedure for holding and declaring the result of such an election shall be in substantial compliance with the requirements for elections to create such Districts. All persons who are legally qualified landowning voters who are actively engaged in the business of agriculture or animal husbandry shall be entitled to vote at such election. Each voter favoring the discontinuance of such District shall have written or printed on his ballot the words "For the discontinuance of the _____ County Soil Conservation District"; and each voter who opposes the discontinuance of such District shall have written or printed on his ballot the words "Against the discontinuance of the _____ County Soil Conservation District." When the returns of such an election have been canvassed by the Commissioners' Court, the result of such election shall be declared by order entered on the Minutes of said Court, and if the result is in favor of the discontinuance of such District, the County Judge shall issue an order declaring such District to be discontinued, and such order shall also be entered in the Minutes of the Commissioners' Court and a certified copy thereof recorded in the Deed Records of the county, and thereupon the District shall be deemed to be legally discontinued.

Section 12. A. In order that the State and the several Conservation Districts herein created may in good faith immediately hold themselves out to the United States as being ready and able to effectually cooperate with that government and the land-owners of this state in accomplishing the objects of this Act, there is hereby diverted and granted by the State to the State Soil Conservation Board for the uses herein expressly provided, funds derived from the legal assessment, levy and collection of the State ad valorem taxes for general purposes only, excluding the levy for school purposes and confederate pensions upon

the property and from the persons in each respective County in the state not heretofore diverted or which may be diverted by virtue of any Act passed before the effective date of this Act or granted by the State to any political subdivision of this state accruing from the application of six (6c) cents of the constitutional ad valorem tax rate.

When and as the counties are organized as Soil Conservation Districts, all moneys so diverted to the State Soil Conservation Board from said respective counties up to Ten Thousand (\$10,000.00) Dollars for any one year, shall be remitted by the State Soil Conservation Board to the governing bodies of said County Soil Conservation Districts, such remittances to be made to the respective counties quarterly and such funds so remitted shall be used and expended by the governing body of the County Soil Conservation Districts exclusively for the purposes set forth in this Act. All other funds received from the respective counties by virtue of said diversion over and above the Ten Thousand (\$10,000.00) Dollars, shall be used by the State Soil Conservation Board as an equalization fund in carrying out the duties and functions imposed by this Act.

The period of such diversion shall be ten (10) years. At the end of ten (10) years any unused portion of said funds shall be set over and paid into the general revenue fund. The taxes hereby diverted shall be legally assessed, levied, and collected as now provided by law, except that the assessor and collector of the taxes in each respective county shall forward his reports to the Comptroller of Public Accounts as now provided by law and the Comptroller shall pay over all such moneys to the State Treasurer as now provided by law and the State Treasurer shall deposit the funds above specified in the special fund above referred to.

Such tax so diverted shall be appropriated by the State Soil Conservation Board for the purpose of carrying on its administrative functions and to the use of the soil Conservation Districts organized under the provisions of this Act. The State Soil Conservation Board in making such appropriations shall consider, among other things, the size of the district, the condition of erosion and the amount of work that is necessary to

be done within the district in order to carry out the provisions of this Act. The board shall formulate such rules and regulations as it deems proper to insure the equitable distribution of the diverted funds among the Soil Conservation Districts of the State.

B. In order to provide a fund for the necessary expenses of the operation of the State Soil Conservation Board, there is hereby appropriated the sum of Twenty-five Thousand (\$25,000.00) Dollars, available at once, for the use of the Board throughout the remainder of the current biennium, and to cover the interim before the diversion referred to in Subsection A of this section becomes available; said amount to be appropriated out of funds not heretofore appropriated from the general funds of the State Treasury, to be disbursed by the order of the State Conservation Board and the Treasurer of this State; but said amount shall be repaid to the general fund out of the first moneys received by the State Soil Conservation Board by reason of the diversion provided in Subsection A of this Section.

C. The funds allocated to the State Soil Conservation Board shall be expended by said Board, for the following purposes, to-wit:

(a) To defray the administrative expense of the State Soil Conservation Board.

(b) For the equalization of funds among districts, including those counties wherein ad valorem taxes have heretofore been diverted, to the extent of reimbursing said counties so that the fund for the furtherance of the purposes of this Act will be equal to but not greater than otherwise would have been had there been no previous diversion of taxes therein. Provided, however, that no County Conservation District wherein improvements have heretofore been constructed, or are now under construction, or that may hereafter be constructed in the territorial limits of such County Conservation District, out of funds heretofore diverted, shall be eligible to receive any funds whatsoever from this State Soil Conservation Board equalization fund.

(c) The remainder shall be used in furtherance of the purposes of this Act as hereinbefore provided.

The expenditure and disbursement of such funds shall be in accordance

with the rules and regulations promulgated and established by the County Soil Conservation District Board as well as in accordance with contracts or mutual agreements entered into by and between the County Soil Conservation District and municipalities within the County and another or other County Soil Conservation Districts and the State Soil Conservation Board, either or both or all of them acting in a cooperative program jointly in the furtherance of the purposes of this Act.

No debt or obligations shall ever be created by any County Soil Conservation District organized under the provisions of this Act that cannot be reasonably amortized and retired within a period of two years out of funds accruing and to accrue from the funds diverted and granted under the provisions of this Act.

C. Funds accrued, collected and apportioned to the various County Soil Conservation Districts under the terms of this Act remaining unobligated upon an approved soil conservation project or program or unexpended in furtherance thereof for a current calendar year next preceding shall revert to the State Soil Conservation Fund of the State Treasury on September 1st following. When such funds shall have reverted, same shall be forwarded by the Treasurer of the County Soil Conservation District to the State Treasurer and receive the receipt of the State Treasurer therefor.

Section 13. Separability Clause. If any provision of this Act, or the application of any provision to any person or circumstance, is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances, shall not be affected thereby.

Section 14. Inconsistency with other Acts. In so far as any of the provisions of this Act are inconsistent with the provisions of any other law, the provisions of this Act shall be controlling, except where otherwise indicated in this Act. This Act shall not in anywise affect, impair, or impinge upon the rights, powers and functions of Water Improvement Districts, Water Control and Improvement Districts, Irrigation Districts, Drainage Districts, Levee Districts, and any other form of water control or irrigation Districts permitted under the laws of this State

which have been created or may hereafter be created, but the same are expressly preserved in accordance with the terms of the Act or Acts under which such Districts were created and such Act or Acts are in no manner impinged upon, changed, modified or repealed and shall stand unimpaired by any of the terms hereof.

Section 15. Repealing and affirming certain Acts.

A. Senate Bill No. 227 passed by the Regular Session of the Forty-fourth Legislature, Page 504, Regular Session, is hereby repealed.

B. This Act shall not in anywise repeal House Bill No. 13, Acts of the Forty-second Legislature, Regular Session, but the same is hereby expressly preserved in accordance with the terms thereof.

C. This Act shall not in anywise affect, impair or impinge upon the provisions of House Bill No. 978, Acts of the Regular Session of the Forty-fourth Legislature under which Wind Erosion Soil Conservation Districts have been created or may hereafter be created, but the same is expressly preserved in accordance with the terms thereof. The State Soil Conservation Board shall have authority, working with the governing bodies of the Wind Erosion Conservation Districts, to put into operation in said Wind Erosion Conservation Districts such provisions of this Act as are not in conflict with the provisions of House Bill No. 978, Acts of the Regular Session of the Forty-fourth Legislature. Nothing in this Act shall be construed in any manner affecting or repealing any of the provisions of Senate Bill 386, Acts of the Regular Session of the Forty-fifth Legislature but shall be cumulative thereof.

Section 16. Effective Date. The fact that the Federal Congress now is in session and in its deliberation will be considering appropriations of money to be used in Texas and other States for the conservation of soil and water, for the control of flood waters and the abatement of injuries caused thereby, and other measures intended to conserve the natural resources of the several States, coupled with the serious condition of erosion and the lack of effective means of conserving water in the State of Texas, creates an emergency and imperative public necessity that the Constitutional Rule requiring that bills should be read on

three several days in each House be, and it is hereby suspended; and this Act shall take effect from and after its passage, and it is so enacted.

Mr. Wood moved that the conference committee report on House Bill No. 24 be adopted.

(Mr. Blankenship in the Chair.)

Mr. Harris of Archer moved, as a substitute motion, that further consideration of the report be postponed until 10:30 o'clock a. m., tomorrow.

Question first recurring on the substitute motion by Mr. Harris of Archer, it prevailed.

HOUSE BILL NO. 420 WITH SENATE AMENDMENTS

Mr. Alsup called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 420, A bill to be entitled "An Act providing Workmen's Compensation for State employees; defining certain terms; placing administration of the Act in the Industrial Accident Board and prescribing the duties and defining the powers of the Board; providing for the filing of claims; providing for payment to the beneficiary in case of death; providing the rate of compensation to be paid injured employees; etc., and declaring an emergency."

The Chair laid the bill before the House with the Senate amendments.

On motion of Mr. Alsup, the House concurred in the Senate amendments by the following vote:

Yeas—117

Adkins	Davisson
Alsup	of Eastland
Amos	Deglandon
Beckworth	Dollins
Bell	England
Boethel	Farmer
Bond	Felty
Boyer	Fielden
Bradbury	Fox
Bradford	Gibson
Brown	Graves
Burton	Hamilton
Callan	Hankamer
Carssow	Hanna
Cauthorn	Harbin
Celaya	Hardin
Cleveland	Harper
Davis of Haskell	Harrell
Davis of Jasper	Harris of Archer
Davison of Fisher	Harris of Dallas

Harris of Dickens	Oliver
Hartzog	Palmer
Herzik	Patterson of Mills
Holland	Patterson
Hoskins	of Travis
Hull	Pope
Hyder	Powell
James	Quinn
Johnson of Ellis	Ragsdale
Johnson	Reader
of Tarrant	Reed of Bowie
Jones of Angelina	Reed of Dallas
Jones of Falls	Rhodes
Jones of Wise	Riddle
Keefe	Ross
Keith	Schuenemann
Kelt	Sewell
Kenyon	Sharpe
Kern	Shell
King	Simpson
Langdon	Skaggs
Lankford	Smith of Hopkins
Lanning	Smith
Leonard	of Matagorda
Leyendecker	Smith of Tarrant
Little	Stocks
Loggins	Talbert
London	Tarwater
Lucas	Tennant
Mauritz	Tennyson
McConnell	Thornberry
McDonald	Thornton
McFarland	Vale
McKee	Waggoner
McKinney	Walker
Metcalfe	Weldon
Monkhouse	Westbrook
Morris	Winfree
Morse	Wood
Newton	Worley
Nicholson	

Absent

Alexander	Jackson
Bates	Jones of Atascosa
Blankenship	Knetsch
Bridgers	Leath
Broadfoot	Mays
Cathey	McCracken
Colquitt	Moffett
Dean	Petsch
Dickison	Settle
Fuchs	Stevenson
Heflin	Stinson
Howard	

Absent—Excused

Baker	Prescott
Cagle	Roark
Derden	Russell
Huddleston	Rutta
Mann	

SENATE BILL NO. 212 ON
SECOND READING

Mr. Hull moved that all Rules be suspended for the purpose of taking up for consideration, Senate Bill No. 212.

The roll of the House was called and the vote announced as follows: Yeas, 77; nays, 32.

Mr. Bradbury requested a verification of the vote.

The roll of the "yeas" and "nays" was again called and the verified vote resulted as follows:

Yeas—71

Adkins	Kenyon
Alexander	King
Alsup	Lankford
Amos	Lanning
Beckworth	Leonard
Boyer	Leyendecker
Bradford	Little
Broadfoot	Loggins
Callan	London
Carssow	Lucas
Cathey	Mays
Cauthorn	McConnell
Celaya	McCracken
Davis of Haskell	McKee
Davis of Jasper	Moffett
Davison of Fisher	Morse
Dollins	Newton
England	Nicholson
Farmer	Oliver
Gibson	Patterson of Mills
Hanna	Pope
Harbin	Reader
Hardin	Reed of Dallas
Harrell	Rhodes
Harris of Dallas	Riddle
Hartzog	Simpson
Herzik	Smith of Tarrant
Holland	Stinson
Hull	Stocks
James	Talbert
Johnson of Ellis	Tennant
Johnson	Thornton
of Tarrant	Vale
Jones of Angelina	Weldon
Jones of Falls	Winfree
Kelt	Worley

Nays—32

Bell	Harris of Archer
Boethel	Harris of Dickens
Bradbury	Hoskins
Brown	Jones of Wise
Burton	Keith
Colquitt	Kern
Deglandon	Langdon
Fox	Mauritz
Graves	McFarland

Metcalfe	Sharpe
Palmer	Smith of Hopkins
Powell	Tennyson
Quinn	Thornberry
Ragsdale	Waggoner
Reed of Bowie	Walker
Ross	Wood

Present—Not Voting

Harper	McDonald
Jones of Atascosa	Tarwater

Absent

Bates	Knetsch
Blankenship	Leath
Bond	McKinney
Bridgers	Monkhouse
Cleveland	Morris
Davisson	Patterson
of Eastland	of Travis
Dean	Petsch
Dickison	Schuenemann
Felty	Settle
Fielden	Sewell
Fuchs	Shell
Hamilton	Skaggs
Hankamer	Smith
Heflin	of Matagorda
Howard	Stevenson
Jackson	Westbrook
Keefe	

Absent—Excused

Baker	Mann
Cagle	Prescott
Derden	Roark
Huddleston	Russell
Hyder	Rutta

PAIRED

Mr. Jones of Angelina (present), who would vote "yea", with Mr. Roark (absent), who would vote "nay".

The Chair announced that the motion by Mr. Hull to suspend the Rule prevailed.

Mr. Hull raised a point of order, on the verification of the above vote, on the ground that business has been transacted since the vote was announced, and that the request for the verification came too late.

The Chair overruled the point of order.

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 212, A bill to be entitled "An Act amending Article 2620 of the Revised Civil Statutes of 1925,

changing the name of the North Texas Junior Agricultural, Mechanical and Industrial College at Arlington to the North Texas Agricultural, Mechanical and Industrial College at Arlington; and amending Article 2621 of the Revised Civil Statutes of 1925, providing a four-year course of study for said college and declaring an emergency; and amending Article 2618 of the Revised Civil Statutes of 1925, providing for a four-year course of study for John Tarleton Agricultural College, and declaring an emergency."

The bill was read second time.

Mr. England moved the previous question on the passage of Senate Bill No. 212 to third reading.

Mr. Metcalfe raised a point of order, on consideration of the motion, on the ground that the bill has not been given a full and fair discussion in accordance with the constitution.

The Chair sustained the point of order.

Mr. Hartzog moved that the debate be limited to two minutes for proponents and two minutes for opponents on each amendment to Senate Bill No. 212.

The motion was lost.

Mr. Langdon offered the following amendment to the bill:

"Amend Senate Bill No. 212, by striking out Section 1 and Section 2 of the bill."

Mr. Harris of Dickens moved that the House recess until 10:00 o'clock a. m., tomorrow.

Mr. Langdon moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Metcalfe moved that the House adjourn until 9:30 o'clock a. m., tomorrow.

A motion was made that the House recess until 7:30 o'clock p. m., today.

Mr. Hull having been recognized by the Chair to speak on personal privilege. Mr. Keith raised the point of order, that the Chair is not authorized to recognize a point of personal privilege while a motion to adjourn is pending.

The Chair sustained the point of order.

Mr. Harris of Dallas then moved that the Rules be suspended for the purpose of permitting Mr. Hull to speak on personal privilege.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—74

Adkins	Leyendecker
Alsup	Little
Amos	London
Bates	Lucas
Boyer	Mays
Broadfoot	McConnell
Callan	McCracken
Carssow	McKee
Cathey	Monkhouse
Celaya	Morse
Davis of Haskell	Newton
Davis of Jasper	Patterson of Mills
Davisson	Patterson
of Eastland	of Travis
Dollins	Pope
England	Reader
Fuchs	Reed of Dallas
Gibson	Rhodes
Hanna	Schuenemann
Harbin	Sewell
Hardin	Shell
Harper	Simpson
Harrell	Skaggs
Harris of Dallas	Smith of Hopkin
Hartzog	Smith of Tarrant
Herzik	Stevenson
Hull	Stinson
James	Stocks
Johnson of Ellis	Talbert
Johnson	Tarwater
of Tarrant	Tennyspn
Jones of Angelina	Thornton
Jones of Atascosa	Vale
Keefe	Waggoner
Kelt	Walker
King	Weldon
Lankford	Winfree
Lanning	Worley
Leonard	

Nays—40

Beckworth	Jones of Wise
Bell	Keith
Boethel	Kenyon
Bond	Kern
Bradbury	Loggins
Bradford	Mauritz
Brown	Moffett
Burton	Morris
Cauthorn	Nicholson
Davison of Fisher	Palmer
Deglandon	Powell
Farmer	Quinn
Fielden	Ragsdale
Fox	Reed of Bowie
Graves	Riddle
Hamilton	Ross
Harris of Archer	Settle
Hoskins	Sharpe

Smith	Thornberry
of Matagorda	Wood
Tennant	

Present—Not Voting

Colquitt	Westbrook
McDonald	

Absent

Alexander	Howard
Blankenship	Jackson
Bridgers	Jones of Falls
Cleveland	Knetsch
Dean	Langdon
Dickison	Leath
Felty	McFarland
Hankamer	McKinney
Harris of Dickens	Metcalfe
Heflin	Oliver
Holland	Petsch

Absent—Excused

Baker	Mann
Cagle	Prescott
Derden	Roark
Huddleston	Russell
Hyder	Rutta

Question first recurring on the motion to adjourn until 9:30 o'clock a. m., tomorrow, it was lost.

Question then recurring on the motion to adjourn until 10:00 o'clock a. m., tomorrow, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—53

Bates	Kenyon
Beckworth	Kern
Bell	Langdon
Boethel	London
Bond	Mauritz
Bradbury	McDonald
Bradford	Metcalfe
Brown	Morris
Burton	Nicholson
Cleveland	Palmer
Colquitt	Patterson
Deglandon	of Travis
Fielden	Powell
Fox	Reed of Bowie
Graves	Riddle
Hamilton	Ross
Hankamer	Settle
Harper	Sharpe
Harris of Archer	Skaggs
Hoskins	Smith
James	of Matagorda
Johnson of Ellis	Stevenson
Jones of Wise	Tarwater
Keith	Tennant

Tennyson
Thornberry
Thornton
Waggoner

Walker
Westbrook
Wood

Nays—67

Adkins	Lanning
Alexander	Leath
Alsup	Leyendecker
Boyer	Little
Broadfoot	Loggins
Callan	Lucas
Carssow	Mays
Cathey	McConnell
Celaya	McCracken
Davis of Haskell	McKee
Davis of Jasper	Moffett
Davisson	Monkhouse
of Eastland	Morse
Dollins	Newton
England	Patterson of Mills
Farmer	Pope
Fuchs	Prescott
Gibson	Quinn
Hanna	Ragsdale
Harbin	Reader
Hardin	Reed of Dallas
Harrell	Schuenemann
Harris of Dallas	Sewell
Harris of Dickens	Shell
Hartzog	Simpson
Herzik	Smith of Hopkins
Hull	Smith of Tarrant
Johnson	Stinson
of Tarrant	Stocks
Jones of Angelina	Talbert
Jones of Atascosa	Vale
Keefe	Weldon
Kelt	Winfree
King	Worley
Lankford	

Absent

Amos	Howard
Blankenship	Jackson
Bridgers	Jones of Falls
Cauthorn	Knetsch
Davison of Fisher	Leonard
Dean	McFarland
Dickison	McKinney
Felty	Oliver
Heflin	Petsch
Holland	Rhodes

Absent—Excused

Baker	Mann
Cagle	Roark
Derden	Russell
Huddleston	Rutta
Hyder	

Question then recurring on the motion to recess until 7:30 o'clock p. m., today, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—18

Alsup	Harris of Dickens
Bell	Johnson of Ellis
Bond	Keefe
Bradbury	Kern
Brown	Loggins
Davis of Haskell	Monkhouse
Davison of Fisher	Patterson
Farmer	of Travis
Gibson	Wood
Hamilton	

Nays—104

Adkins	King
Alexander	Langdon
Amos	Lankford
Bates	Lanning
Beckworth	Leath
Boethel	Leyendecker
Boyer	Little
Bradford	London
Broadfoot	Lucas
Burton	Mays
Callan	McConnell
Carssow	McCracken
Cathey	McKee
Cauthorn	Metcalf
Celaya	Moffett
Cleveland	Morris
Colquitt	Morse
Davis of Jasper	Newton
Davisson	Nicholson
of Eastland	Oliver
Deglandon	Palmer
Dollins	Patterson of Mills
England	Pope
Felty	Powell
Fielden	Quinn
Fox	Ragsdale
Fuchs	Reader
Graves	Reed of Bowie
Hankamer	Reed of Dallas
Hanna	Rhodes
Harbin	Riddle
Hardin	Ross
Harper	Schuenemann
Harrell	Settle
Harris of Archer	Sewell
Harris of Dallas	Sharpe
Hartzog	Shell
Herzik	Simpson
Huddleston	Skaggs
Hull	Smith of Hopkins
James	Smith
Johnson	of Matagorda
of Tarrant	Smith of Tarrant
Jones of Angelina	Stinson
Jones of Atascosa	Stocks
Jones of Wise	Talbert
Keith	Tarwater
Kelt	Tennant
Kenyon	Tennyson

Thornberry
Thornton
Vale
Waggoner
Walker

Weldon
Westbrook
Winfree
Worley

Absent

Blankenship
Bridgers
Dean
Dickison
Heflin
Holland
Hoskins
Howard
Jackson

Jones of Falls
Knetsch
Leonard
Mauritz
McDonald
McFarland
McKinney
Petsch
Stevenson

Absent—Excused

Baker
Cagle
Derden
Hyder
Mann

Prescott
Roark
Russell
Rutta

Question then recurring on the motion to recess until 10:00 o'clock a. m., tomorrow, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—57

Bates
Beckworth
Bell
Boethel
Bradbury
Bradford
Brown
Burton
Colquitt
Davison of Fisher
Deglandon
Fielden
Fox
Graves
Harper
Harrell
Harris of Archer
Harris of Dickens
Hoskins
James
Jones of Atascosa
Jones of Wise
Keefe
Keith
Kenyon
Kern
Langdon
London
Mauritz
McDonald

Metcalf
Morris
Nicholson
Oliver
Palmer
Patterson
of Travis
Powell
Quinn
Ragsdale
Reed of Bowie
Riddle
Ross
Settle
Sharpe
Skaggs
Smith of Hopkins
Smith
of Matagorda
Stevenson
Tarwater
Tennant
Tennyson
Thornberry
Thornton
Waggoner
Walker
Wood
Worley

Nays—64

Adkins
Alexander

Alsup
Amos

Boyer
Broadfoot
Callan
Carssow
Cathey
Celaya
Cleveland
Davis of Haskell
Davis of Jasper
Davisson
of Eastland
Dollins
England
Farmer
Fuchs
Gibson
Hamilton
Hankamer
Hanna
Harbin
Hardin
Harris of Dallas
Hartzog
Hull
Johnson of Ellis
Johnson
of Tarrant
Jones of Angelina
Kelt
King
Lankford

Lanning
Leath
Leonard
Little
Loggins
Lucas
Mays
McConnell
McCracken
McKee
Moffett
Monkhouse
Morse
Newton
Patterson of Mills
Pope
Prescott
Reader
Reed of Dallas
Rhodes
Schuenemann
Sewell
Shell
Simpson
Smith of Tarrant
Stinson
Stocks
Talbert
Vale
Weldon
Winfree

Present—Not Voting

Herzik
Westbrook

Absent

Blankenship
Bond
Bridgers
Cauthorn
Dean
Dickison
Felty
Heflin
Holland

Howard
Jackson
Jones of Falls
Knetsch
Leyendecker
McFarland
McKinney
Petsch

Absent—Excused

Baker
Cagle
Derden
Huddleston
Hyder

Mann
Roark
Russell
Rutta

Mr. Johnson of Tarrant moved a call of the House for the purpose of maintaining a quorum pending consideration of Senate Bill No. 212, and the call was not seconded.

Mr. Bradbury raised a point of order on further consideration of Senate Bill No. 212, on the ground that the Chair was without authority

to recognize the motion to suspend the Rule to consider Senate Bill No. 212.

The Chair overruled the point of order.

(Speaker in the Chair.)

Mr. Hull moved to table the pending amendment by Mr. Langdon.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—68

Adkins	Lanning
Amos	Leath
Boyer	Leonard
Broadfoot	Leyendecker
Callan	Little
Carssow	Loggins
Cathey	London
Cauthorn	Lucas
Celaya	Mays
Cleveland	McConnell
Davisson	McCracken
of Eastland	McKee
Dollins	Moffett
England	Monkhouse
Farmer	Morse
Fuchs	Newton
Gibson	Oliver
Hankamer	Patterson of Mills
Hanna	Pope
Harbin	Reader
Hardin	Reed of Dallas
Harper	Rhodes
Harris of Dallas	Schuenemann
Hartzog	Sewell
Herzik	Shell
Holland	Simpson
Hull	Smith of Tarrant
James	Stinson
Johnson of Ellis	Talbert
Johnson	Tennant
of Tarrant	Thornton
Jones of Atascosa	Vale
Keefe	Weldon
Kelt	Winfree
Lankford	Worley

Nays—42

Alsop	Deglandon
Bates	Fielden
Beckworth	Fox
Bell	Graves
Boethel	Hamilton
Bradbury	Harrell
Bradford	Harris of Archer
Brown	Harris of Dickens
Burton	Hoskins
Colquitt	Jones of Wise
Davison of Fisher	Keith

Kenyon	Reed of Bowie
Kern	Riddle
Langdon	Sharpe
Mauritz	Smith of Hopkins
Metcalfe	Stevenson
Morris	Stocks
Palmer	Tennyson
Patterson	Thornberry
of Travis	Walker
Powell	Wood
Ragsdale	

Present—Not Voting

Davis of Jasper	Tarwater
Jones of Angelina	Westbrook

Absent

Alexander	Knetsch
Blankenship	McDonald
Bond	McFarland
Bridgers	McKinney
Davis of Haskell	Nicholson
Dean	Petsch
Dickison	Quinn
Felty	Ross
Heflin	Settle
Howard	Skaggs
Jackson	Smith
Jones of Falls	of Matagorda
King	Waggoner

Absent—Excused

Baker	Mann
Cagle	Prescott
Derden	Roark
Huddleston	Russell
Hyder	Rutta

PAIRED

Mr. Jones of Angelina (present), who would vote "yea", with Mr. Roark (absent) who would vote "nay."

Mr. Reader moved the previous question on the passage of Senate Bill No. 212 to third reading, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—67

Adkins	Cathey
Alexander	Celaya
Amos	Cleveland
Boyer	Davis of Jasper
Broadfoot	Davisson
Callan	of Eastland
Carssow	Deglandon

Dollins	Lucas
England	Mauritz
Farmer	Mays
Fuchs	McConnell
Gibson	McCracken
Hankamer	McKee
Hanna	Moffett
Harbin	Monkhouse
Hardin	Morse
Harrell	Newton
Harris of Archer	Oliver
Harris of Dallas	Patterson of Mills
Hartzog	Pope
Herzik	Reader
Hull	Reed of Dallas
Johnson of Ellis	Rhodes
Johnson	Schuenemann
of Tarrant	Sewell
Jones of Atascosa	Shell
Keefe	Simpson
Kelt	Smith of Tarrant
Lankford	Stinson
Lanning	Tennant
Leonard	Vale
Leyendecker	Weldon
Little	Winfree
Loggins	Worley
London	

Nays—48

Alsup	Leath
Bates	McDonald
Beckworth	Metcalfe
Bell	Morris
Blankenship	Palmer
Boethel	Patterson
Bradbury	of Travis
Bradford	Powell
Brown	Ragsdale
Burton	Reed of Bowie
Colquitt	Riddle
Fielden	Settle
Fox	Sharpe
Graves	Smith of Hopkins
Hamilton	Stevenson
Harris of Dickens	Stocks
Holland	Talbert
Hoskins	Tarwater
James	Tennyson
Jones of Wise	Thornberry
Keith	Thornton
Kenyon	Walker
Kern	Westbrook
King	Wood
Langdon	

Present—Not Voting

Harper	Jones of Angelina
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Absent

Bond	Davison of Fisher
Bridgers	Dean
Cauthorn	Dickison
Davis of Haskell	Felty

Heflin	Petsch
Howard	Quinn
Jackson	Ross
Jones of Falls	Skaggs
Knetsch	Smith
McFarland	of Matagorda
McKinney	Waggoner
Nicholson	

Absent—Excused

Baker	Mann
Cagle	Prescott
Derden	Roark
Huddleston	Russell
Hyder	Rutta

PAIRED

Mr. Jones of Angelina (present), who would vote "yea", with Mr. Roark (absent), who would vote "nay".

Mr. Jones of Wise raised a point of order, on further consideration of Senate Bill No. 212, on the ground that same is in violation of Section 35, Article III of the Constitution.

The Speaker overruled the point of order.

Senate Bill No. 212 was then passed to third reading by the following vote:

Yeas—67

Adkins	Johnson
Amos	of Tarrant
Boyer	Jones of Atascosa
Bradford	Kelt
Broadfoot	King
Callan	Lankford
Carssow	Lanning
Cathey	Leath
Cauthorn	Leonard
Celaya	Leyendecker
Cleveland	Little
Davis of Jasper	Loggins
Davison of Fisher	London
Davison	Lucas
of Eastland	Mays
Dollins	McConnell
England	McCracken
Farmer	McKee
Fuchs	Monkhouse
Hankamer	Morse
Hanna	Newton
Harbin	Oliver
Hardin	Patterson of Mills
Harrell	Pope
Harris of Dallas	Reader
Hartzog	Reed of Dallas
Herzik	Rhodes
Holland	Schuenemann
Hull	Sewell
Johnson of Ellis	Sharpe

Simpson
Smith of Tarrant
Stinson
Talbert
Thornton

Vale
Weldon
Winfree
Worley

Nays—47

Alexander	Kenyon
Alsup	Kern
Bates	Langdon
Beckworth	Mauritz
Bell	McDonald
Blankenship	Metcalfe
Boethel	Morris
Bradbury	Palmer
Brown	Patterson
Burton	of Travis
Colquitt	Powell
Deglandon	Ragsdale
Fielden	Reed of Bowie
Fox	Riddle
Gibson	Smith of Hopkins
Graves	Stevenson
Hamilton	Stocks
Harris of Archer	Tarwater
Harris of Dickens	Tennant
Hoskins	Tennyson
James	Thornberry
Jones of Wise	Walker
Keefe	Westbrook
Keith	Wood

Present—Not Voting

Harper Jones of Angelina

Absent

Bond	McKinney
Bridgers	Moffett
Davis of Haskell	Nicholson
Dean	Petsch
Dickison	Quinn
Felty	Ross
Heflin	Settle
Howard	Shell
Jackson	Skaggs
Jones of Falls	Smith
Knetsch	of Matagorda
McFarland	Waggoner

Absent—Excused

Baker	Mann
Cagle	Prescott
Derden	Roark
Huddleston	Russell
Hyder	Rutta

PAIRED

Mr. Jones of Angelina (present), who would vote "yea", with Mr. Roark (absent), who would vote "nay".

Mr. Wood moved that the House recess until 9:30 o'clock a. m., tomorrow.

Mr. Reed of Bowie moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Question first recurring on the motion to adjourn until 10:00 o'clock a. m., tomorrow, yeas and nays were demanded.

The motion to adjourn was lost by the following vote:

Yeas—55

Alexander	Johnson of Ellis
Alsup	Johnson
Blankenship	of Tarrant
Boethel	Leath
Boyer	Little
Bradbury	London
Bradford	Mauritz
Broadfoot	McConnell
Brown	McDonald
Carssow	McKee
Colquitt	Morse
Davison of Fisher	Oliver
Deglandon	Palmer
England	Patterson of Mills
Fielden	Powell
Fox	Reed of Bowie
Fuchs	Reed of Dallas
Gibson	Riddle
Graves	Sharpe
Hankamer	Smith of Tarrant
Hanna	Stevenson
Harbin	Stinson
Harper	Stocks
Harris of Archer	Talbert
Harris of Dickens	Tarwater
Holland	Tennant
Hoskins	Westbrook
Hull	Worley

Nays—63

Adkins	Harrell
Amos	Harris of Dallas
Bates	Hartzog
Beckworth	Herzik
Bell	James
Burton	Jones of Angelina
Callan	Jones of Atascosa
Cathey	Jones of Wise
Cauthorn	Keefe
Celaya	Keith
Cleveland	Kelt
Davis of Jasper	Kenyon
Davisson	Kern
of Eastland	King
Dollins	Langdon
Farmer	Lankford
Felty	Lanning
Hamilton	Leonard
Hardin	Loggins

Lucas	Settle
McCracken	Sewell
Metcalfe	Shell
Moffett	Simpson
Monkhouse	Smith of Hopkins
Morris	Tennyson
Newton	Thornberry
Patterson	Thornton
of Travis	Vale
Pope	Walker
Ragsdale	Weldon
Reader	Winfree
Rhodes	Wood
Schuenemann	

Present—Not Voting

Mays

Absent

Bond	McFarland
Bridgers	McKinney
Davis of Haskell	Nicholson
Dean	Petsch
Dickison	Quinn
Heflin	Ross
Howard	Skaggs
Jackson	Smith
Jones of Falls	of Matagorda
Knetsch	Waggoner
Leyendecker	

Absent—Excused

Baker	Mann
Cagle	Prescott
Derden	Roark
Huddleston	Russell
Hyder	Rutta

Question then recurring on the motion to recess until 9:30 o'clock a. m., tomorrow, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows: Yeas, 60; nays, 60.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—57

Alexander	Davison of Fisher
Alsup	Deglandon
Bates	Fielden
Beckworth	Fox
Bell	Fuchs
Blankenship	Graves
Boethel	Hamilton
Bradbury	Hankamer
Bradford	Hanna
Brown	Harper
Burton	Harrell
Colquitt	Harris of Archer

Harris of Dickens	Powell
Hoskins	Ragsdale
James	Reed of Bowie
Jones of Wise	Riddle
Keefe	Settle
Kenyon	Sharpe
Kern	Smith of Hopkins
Langdon	Stevenson
London	Tarwater
Mauritz	Tennant
McDonald	Tennyson
Metcalfe	Thornberry
Morris	Thornton
Oliver	Walker
Palmer	Westbrook
Patterson	Wood
of Travis	Worley

Nays—61

Adkins	King
Amos	Lankford
Boyer	Lanning
Broadfoot	Leath
Callan	Leonard
Carssow	Leyendecker
Cathey	Little
Cauthorn	Lucas
Celaya	Mays
Cleveland	McConnell
Davis of Jasper	McCracken
Davisson	McKee
of Eastland	Monkhouse
Dollins	Morse
England	Newton
Farmer	Patterson of Mills
Felty	Pope
Gibson	Reader
Harbin	Reed of Dallas
Hardin	Rhodes
Harris of Dallas	Schuenemann
Hartzog	Sewell
Herzik	Shell
Holland	Simpson
Hull	Smith of Tarrant
Johnson of Ellis	Stinson
Johnson	Stocks
of Tarrant	Talbert
Jones of Angelina	Vale
Jones of Atascosa	Weldon
Keith	Winfree
Kelt	

Absent

Bond	McFarland
Bridgers	McKinney
Davis of Haskell	Moffett
Dean	Nicholson
Dickison	Petsch
Heflin	Quinn
Howard	Ross
Jackson	Skaggs
Jones of Falls	Smith
Knetsch	of Matagorda
Loggins	Waggoner

Absent—Excused

Baker	Mann
Cagle	Prescott
Derden	Roark
Huddleston	Russell
Hyder	Rutta

The Speaker announced that the motion to recess was lost.

MOTION TO TAKE UP SENATE BILL NO. 212

Mr. Hull moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 212 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—65

Adkins	Lankford
Alexander	Leath
Alsup	Leonard
Amos	Leyendecker
Boyer	Little
Broadfoot	Loggins
Callan	London
Carssow	Lucas
Cathey	Mays
Cauthorn	McConnell
Celaya	McCracken
Cleveland	McKee
Davis of Jasper	Moffett
Davisson	Monkhouse
of Eastland	Morris
Dollins	Newton
England	Patterson of Mills
Farmer	Pope
Fuchs	Reader
Hankamer	Reed of Dallas
Hanna	Rhodes
Harbin	Schuenemann
Hardin	Sewell
Harris of Dallas	Shell
Hartzog	Simpson
Herzik	Skaggs
Holland	Smith of Hopkins
Hull	Stinson
Johnson of Ellis	Thornton
Johnson	Vale
of Tarrant	Weldon
Jones of Atascosa	Winfree
Kelt	Worley
King	

Nays—43

Bates	Bradbury
Beckworth	Bradford
Bell	Bridgers
Blankenship	Brown
Boethel	Burton

Colquitt	Metcalf
Deglandon	Morse
Fielden	Oliver
Fox	Palmer
Gibson	Patterson
Graves	of Travis
Hamilton	Powell
Harrell	Reed of Bowie
Harris of Archer	Riddle
Hoskins	Sharpe
James	Stocks
Jones of Wise	Tarwater
Keith	Tennant
Kenyon	Tennyson
Kern	Thornberry
Langdon	Walker
Mauritz	Westbrook

Present—Not Voting

Jones of Angelina	Talbert
McDonald	

Absent

Bond	McFarland
Davis of Haskell	McKinney
Davison of Fisher	Nicholson
Dean	Petsch
Dickison	Prescott
Felty	Quinn
Harper	Ragsdale
Harris of Dickens	Ross
Heflin	Settle
Howard	Smith
Jackson	of Matagorda
Jones of Falls	Smith of Tarrant
Keefe	Stevenson
Knetsch	Waggoner
Lanning	Wood

Absent—Excused

Baker	Mann
Cagle	Roark
Derden	Russell
Huddleston	Rutta
Hyder	

PAIRED

Mr. Jones of Angelina (present), who would vote "yea", with Mr. Roark (absent), who would vote "nay".

CONFERENCE COMMITTEE APPOINTED ON HOUSE BILL NO. 207

The Speaker announced the appointment of the following Conference Committee on House Bill No. 207:

Messrs. Settle, Blankenship, Boyer, Cauthorn and Sewell.

BILL SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

H. B. No. 36, "An Act to amend Article 752, Chapter 7, Title 12 of the Penal Code of 1925, as amended by Section 15 of Chapter 244, page 606 of the Acts of the Regular Session of the Forty-fourth Legislature; and to amend Chapter 7, Title 12 of the Penal Code of 1925, as amended by Section 16, Chapter 244, page 606 of the Acts of the Regular Session of the Forty-fourth Legislature; and providing that any dentist practicing under his own license may be employed under certain conditions; making it unlawful to obtain business in connection with the practice of dentistry by employing 'Cappers' or 'Steerers'; making it unlawful to do certain other things prohibited in this Act in connection with the practice of dentistry, even though fraud is not used in connection therewith; and giving the State Board of Dental Examiners the authority to refuse to grant a license to certain persons; and to revoke, cancel, or suspend licenses of persons violating certain provisions of the Statutes and Penal Code, after notice; providing for appeals from orders of said Board and for trials in the District Court and appeals to the Court of Civil Appeals; providing that any duly authorized, licensed and registered dentist may maintain one additional office in any town or city other than the town of his residence; providing that said law shall be cumulative of and in addition to all other laws, and repealing all laws in conflict herewith; providing penalties; declaring the legislative intent with respect to this Act; fixing the effective date of this Act, and declaring an emergency."

ADJOURNMENT

Mr. Jones of Wise moved that the House recess until 10:00 o'clock a. m., tomorrow.

Mr. Celaya moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Question first recurring on the motion to adjourn until 10:00 o'clock a. m., tomorrow, it prevailed, and the House, accordingly, at 6:30 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

REPORTS OF THE COMMITTEE
ON ENROLLED BILLS

Committee Room,

Austin, Texas, May 20, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 130, "An Act declaring the use of lands for the creation of lakes and reservoirs to be superior to other purposes; providing for the right of eminent domain by conservation and reclamation districts, and other districts created under Section 59 of Article XVI of the Constitution of Texas for the purpose of controlling, storing, and conserving storm and flood waters of the rivers and streams in Texas; providing the procedure to be followed in such proceedings; prescribing the method of assessing damages, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 407, "An Act prohibiting the barter or sale or offering for barter or sale or to buy any bass, crappie, perch, catfish, or any other fish taken from the fresh water of the Brazos River or within one mile of the mouth of any of the tributaries of the Brazos River within Falls County, State of Texas; providing a penalty, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 651, "An Act amending Article 6205, Revised Civil Statutes of Texas, 1925, as amended by Section 2 of Chapter 262, Acts, Regular Session of the Forty-second Legisla-

ture, 1931, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 663, "An Act providing for the beginning of the terms of certain State and District offices of the State of Texas, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1155, "An Act amending Section 2 of Article 3883, Revised Civil Statutes of Texas, 1925, as amended by Chapter 20, Acts of the Forty-first Legislature, Fourth Called Session, as amended by Chapter 340, Acts of the Forty-second Legislature, Regular Session, as amended by Chapter 220, Acts of the Forty-third Legislature, Regular Session, by providing that in counties containing not less than twenty-nine thousand, five hundred (29,500) nor more than thirty thousand (30,000) population according to the last preceding Federal Census, the Constables shall be allowed to retain out of the fees collected by such officer the sum of Twenty-four Hundred (\$2,400.00) Dollars; amending Subsection 4, of Article 3883, Section 1, Chapter 220, Acts of the Forty-third Legislature, Regular Session, 1933, page 734, by providing that in counties containing not less than seventy-seven thousand, seven hundred and fifty (77,750) nor more than eighty-eight thousand, seven hundred and fifty (88,750), according to the last preceding Federal Census of the United States, Justices of the Peace and Constables shall have and receive as fees of office Twenty-seven Hundred and Fifty (\$2,750.00) Dollars per annum, and providing further that such Justices of Peace and Constables may retain one-third of the excess fees until same

equals the sum of Three Thousand (\$3,000.00) Dollars, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 20, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1162, "An Act to authorize the Commissioners Court of Montgomery County to pay bounties under certain conditions for the destruction of wolves, coyote, wildcats, and other predatory animals and fowls in said County; to make rules and regulations with respect thereto; regulating the issuance of warrants in payment thereof, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 20, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1175, "An Act granting to the United States of America easement to construct and maintain the Louisiana and Texas Intracoastal Waterway over and through portions of bays and tidal lands owned by the State of Texas in Brazoria, Matagorda, Calhoun, and Aransas Counties; providing for a forfeiture; protecting vested rights, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1176, "An Act amending Subsection 27 of Article 199, Revised Civil Statutes of Texas, 1925, as amended by Chapter 305, Acts of the Forty-second Legislature, Regular Session, by omitting the January Term of Court in Mills County, Texas, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 20, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 65, Granting John Haney and Lockwood Allison permission to sue the Texas State Liquor Board and/or the State of Texas for damages for personal injuries.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 89, Granting Mrs. Mary Esther Ramsey permission to sue the State.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 106, Urging the State Parks Board to permit the use of State Parks to the Boy Scouts and Girl Scouts of Texas.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 20, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 36, "An Act to amend Article 752, Chapter 7, Title 12 of the Penal Code of 1925, as amended by Section 15 of Chapter 244, page 606 of the Acts of the Regular Session of the Forty-fourth Legislature; and to amend Chapter 7, Title 12 of the Penal Code of 1925, as amended by Section 16, Chapter 244, page 606 of the Acts of the Regular Session of the Forty-fourth Legislature; and providing that any dentist practicing under his own license may be employed under certain conditions; making it unlawful to obtain business in connection with the practice of dentistry by employing 'Cappers' or

'Steerers'; making it unlawful to do certain other things prohibited in this Act in connection with the practice of dentistry, even though fraud is not used in connection therewith; and giving the State Board of Dental Examiners the authority to refuse to grant a license to certain persons; and to revoke, cancel, or suspend licenses of persons violating certain provisions of the Statutes and Penal Code, after notice; providing for appeals from orders of said Board and for trials in the District Court and appeals to the Court of Civil Appeals; providing that any duly authorized, licensed and registered dentist may maintain one additional office in any town or city other than the town of his residence; providing that said law shall be cumulative of and in addition to all other laws, and repealing all laws in conflict herewith; providing penalties; declaring the Legislative intent with respect to this Act; fixing the effective date of this Act, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

SEVENTY-FIFTH DAY

(Friday, May 21, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Adkins	Carssow
Alexander	Cathey
Alsup	Cauthorn
Amos	Celaya
Baker	Cleveland
Bates	Colquitt
Beckworth	Davis of Haskell
Bell	Davis of Jasper
Blankenship	Davison of Fisher
Boethel	Davisson
Bond	of Eastland
Boyer	Deglandon
Bradbury	Dickison
Bradford	Dollins
Bridgers	England
Broadfoot	Farmer
Brown	Felty
Burton	Fielden
Cagle	Fox
Callan	Fuchs